

ing fees; providing for an annual license fee for such corporations and exempting such corporations from all other excise taxes; providing a limited exemption of all such corporations from the provisions of the Texas Securities Act, (Chapter 100, Acts of the Forty-fourth Legislature, Regular Session); providing that defectively organized corporations under this Act may perfect their corporate organizations; extending the provisions of this Act to certain existing corporations; providing for the construction of the Act; declaring the terms and provisions of this Act to be severable; providing that this Act shall be complete in itself, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 31, 1937.
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 589, "An Act amending the Charter of the City of Kingsville so that its city limits will include a parcel of land approximately three (3) city blocks, lying immediately south of the original campus of the Texas College of Arts and Industries, being a dormitory site recently purchased for the State of Texas by the Board of Directors of the Texas College of Arts and Industries; and thereby providing better police and fire protection to the properties now erected on this land, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 31, 1937.
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 568, "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, relative to the compensation or salary to be paid County Auditors in certain counties, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 603, "An Act to appropriate money from the General Revenue Fund to pay judgment for the sum of Twelve Hundred (\$1,200.00) Dollars against the State of Texas in favor of R. D. Winder in Cause No. 52982 in the 126th District Court of Travis County, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

FORTY-SIXTH DAY

(Thursday, April 1, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Dollins
Adkins	England
Alexander	Farmer
Alsop	Felty
Amos	Fielden
Baker	Fox
Bates	Fuchs
Beckworth	Gibson
Bell	Graves
Blankenship	Hamilton
Boethel	Hankamer
Bond	Hanna
Boyer	Harbin
Bradbury	Hardin
Bradford	Harper
Bridgers	Harrell
Broadfoot	Harris of Archer
Brown	Harris of Dallas
Burton	Harris of Dickens
Cagle	Hartzog
Callan	Heflin
Cathey	Herzik
Cauthorn	Holland
Celaya	Hoskins
Cleveland	Howard
Colquitt	Huddleston
Davis of Haskell	Hull
Davis of Jasper	Hyder
Davison of Fisher	Jackson
Davisson	James
of Eastland	Johnson of Ellis
Deglandon	Johnson
Derden	of Tarrant
Dickison	

Jones of Angelina	Powell
Jones of Atascosa	Prescott
Jones of Falls	Quinn
Jones of Wise	Ragsdale
Keefe	Reader
Keith	Reed of Bowie
Kelt	Reed of Dallas
Kenyon	Rhodes
King	Riddle
Knetsch	Roark
Lankford	Ross
Lanning	Russell
Leath	Rutta
Leonard	Schuenemann
Leyendecker	Settle
Little	Sewell
Loggins	Sharpe
London	Shell
Lucas	Simpson
Mann	Skaggs
Mauritz	Smith of Hopkins
Mays	Smith
McConnell	of Matagorda
McCracken	Smith of Tarrant
McDonald	Stevenson
McFarland	Stinson
McKee	Stocks
McKinney	Talbert
Metcalf	Tarwater
Moffett	Tennant
Monkhouse	Tennyson
Morris	Thornberry
Morse	Thornton
Newton	Vale
Nicholson	Waggoner
Oliver	Walker
Palmer	Weldon
Patterson	Westbrook
of Travis	Winfree
Petsch	Wood
Pope	Worley

Absent—Excused

Carssow	Langdon
Dean	Patterson of Mills
Kern	

A quorum was announced present.
Prayer was offered by Rev. George W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Carssow for today, on motion of Mr. McConnell.

Mr. Dean for today, on motion of Mr. McKinney.

Mr. Patterson of Mills for today, on motion of Mr. Brown.

Mr. Langdon for today, on motion of Mr. Roark.

Mr. Jones of Falls for this afternoon, on motion of Mr. Adkins.

Mr. McDonald temporarily for today, on motion of Mr. Blankenship.

The following Member was granted leave of absence on account of illness:

Mr. Kern for today, on motion of Mr. Smith of Hopkins.

(Mr. Roark in the Chair.)

HOUSE BILLS ON FIRST READING

Mr. Walker moved to introduce, at this time, and have placed on first reading, House Bill No. 1055.

The motion prevailed by the following vote:

Yeas—106

Adkins	Johnson of Ellis
Alsup	Jones of Angelina
Baker	Jones of Atascosa
Beckworth	Jones of Wise
Blankenship	Keefe
Boethel	Keith
Bond	Kelt
Boyer	Kenyon
Bradbury	King
Bridgers	Knetsch
Broadfoot	Lankford
Brown	Lanning
Burton	Leyendecker
Callan	Little
Cleveland	Loggins
Colquitt	London
Davis of Haskell	Lucas
Davisson	Mann
of Eastland	Mauritz
Deglandon	Mays
Derden	McConnell
Dollins	McDonald
England	McFarland
Farmer	McKee
Felty	McKinney
Fielden	Metcalf
Fuchs	Moffett
Gibson	Monkhouse
Hamilton	Morris
Hankamer	Morse
Hanna	Oliver
Harbin	Patterson
Hardin	of Travis
Harper	Pope
Harrell	Powell
Harris of Archer	Prescott
Harris of Dallas	Ragsdale
Herzik	Reed of Bowie
Hoskins	Reed of Dallas
Howard	Rhodes
Huddleston	Russell
Hull	Rutta
Hyder	Schuenemann
Jackson	Sewell
James	Sharpe

Shell	Tennant	James	Bridgers
Simpson	Tennyson	Johnson of Ellis	Broadfoot
Smith of Hopkins	Thornton	Johnson	Brown
Smith	Vale	of Tarrant	Burton
of Matagorda	Walker	Jones of Angelina	Cagle
Stinson	Weldon	Jones of Atascosa	Callan
Stocks	Westbrook	Jones of Falls	Cauthorn
Talbert	Wood	Jones of Wise	Celaya
Tarwater	Worley	Keefe	Cleveland
	Absent	Keith	Davis of Jasper
Alexander	Jones of Falls	Kelt	Davison of Fisher
Amos	Leath	Kenyon	Deglandon
Bates	Leonard	King	Derden
Bell	McCracken	Knetsch	Dollins
Bradford	Newton	Lankford	England
Cagle	Nicholson	Leyendecker	Farmer
Cathey	Palmer	Little	Felty
Cauthorn	Petsch	Loggins	Fielden
Celaya	Quinn	London	Fox
Davis of Jasper	Reader	Lucas	Fuchs
Davison of Fisher	Riddle	Mann	Gibson
Dickison	Roark	Mauritz	Hamilton
Fox	Ross	Mays	Hankamer
Graves	Settle	McConnell	Hanna
Harris of Dickens	Skaggs	McDonald	Harbin
Hartzog	Smith of Tarrant	McFarland	Hardin
Heflin	Stevenson	McKee	Harper
Holland	Thornberry	McKinney	Harrell
Johnson	Waggoner	Metcalf	Harris of Archer
of Tarrant	Winfree	Moffett	Harris of Dallas
	Absent—Excused	Monkhouse	Harris of Dickens
Carssow	Langdon	Morris	Herzik
Dean	Patterson of Mills	Morse	Hoskins
Kern		Newton	Howard
		Oliver	Hull
		Patterson	Hyder
		of Travis	Jackson
		Petsch	Sharpe
		Powell	Simpson
		Prescott	Skaggs
		Quinn	Smith of Hopkins
		Reed of Bowie	Smith
		Reed of Dallas	of Matagorda
		Rhodes	Smith of Tarrant
		Ross	Stinson
		Russell	Stocks
		Rutta	Talbert
		Schuenemann	Tarwater
		Settle	Tennant
		Sewell	Tennyson
		Baker	Thornberry
		Beckworth	Thornton
		Bell	Vale
		Blankenship	Waggoner
		Boethel	Walker
		Bond	Weldon
		Boyer	Winfree
		Bradbury	Wood
		Bradford	Worley
			Nays—1
		Shell	
			Present—Not Voting
		Palmer	
	Yeas—119		
Adkins	Alsup		
Alexander	Amos		

The Chair then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Walker, Mr. Jones of Wise, and Mr. Russell:

H. B. No. 1055, A bill to be entitled "An Act to amend Article 492 of Chapter 8, Title 16 of the Revised Civil Statutes of Texas, 1925, with respect to State control of banking institutions; providing that corporations organized under such title are declared to be governmental instrumentalities of the State; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Banks and Banking.

Mr. Alexander moved to introduce, at this time, and have placed on first reading, House Bill No. 1056.

The motion prevailed by the following vote:

Yeas—119

Adkins Alsup
Alexander Amos

Absent

Bates	Lanning
Cathey	Leath
Colquitt	Leonard
Davis of Haskell	McCracken
Davisson	Nicholson
of Eastland	Pope
Dickison	Ragsdale
Graves	Reader
Hartzog	Riddle
Heflin	Roark
Holland	Stevenson
Huddleston	Westbrook

Absent—Excused

Carssow	Langdon
Dean	Patterson of Mills
Kern	

The Chair then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Alexander and Mr. Thornton:

H. B. No. 1056, A bill to be entitled "An Act repealing Article 6203, Revised Civil Statutes of 1925, as amended by Chapter 45, Acts of the Forty-first Legislature, First Called Session, Chapter 9, Fourth Called Session of the Forty-first Legislature, and Chapter 11, Fifth Called Session of the Forty-first Legislature, creating a Board of Pardons and Paroles; ... etc., and declaring an emergency."

Referred to the Committee on Penitentiaries.

BILLS LAID ON THE TABLE SUBJECT TO CALL

Mr. Cathey moved that House Bill No. 550 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—113

Adkins	Burton
Alexander	Callan
Alsup	Cathey
Amos	Cauthorn
Baker	Celaya
Beckworth	Cleveland
Bell	Davis of Haskell
Boethel	Davis of Jasper
Bond	Davisson of Fisher
Boyer	Davisson
Bradbury	of Eastland
Bradford	Deglandon
Bridgers	Derden
Brown	Dickison

Dollins	McConnell
England	McKee
Farmer	Moffett
Felty	Monkhouse
Fielden	Morris
Fuchs	Newton
Gibson	Nicholson
Hamilton	Oliver
Hankamer	Patterson
Hanna	of Travis
Harbin	Powell
Hardin	Prescott
Harper	Quinn
Harrell	Ragsdale
Harris of Archer	Reed of Bowie
Harris of Dallas	Reed of Dallas
Harris of Dickens	Rhodes
Herzik	Ross
Hoskins	Russell
Huddleston	Rutta
Hull	Schuenemann
Hyder	Settle
Jackson	Sewell
James	Sharpe
Johnson of Ellis	Shell
Johnson	Simpson
of Tarrant	Skaggs
Jones of Angelina	Smith of Hopkins
Jones of Atascosa	Smith
Jones of Falls	of Matagorda
Jones of Wise	Smith of Tarrant
Keefe	Stocks
Kelt	Talbert
Kenyon	Tennant
King	Tennyson
Knetsch	Thornberry
Lankford	Thornton
Lanning	Vale
Leyendecker	Waggoner
Little	Walker
London	Weldon
Lucas	Winfree
Mann	Wood
Mauritz	Worley
Mays	

Nays—9

Cagle	McFarland
Colquitt	Metcalfe
Fox	Petsch
Graves	Stinson
Keith	

Absent

Bates	McKinney
Blankenship	Morse
Broadfoot	Palmer
Hartzog	Pope
Heflin	Reader
Holland	Riddle
Howard	Roark
Leath	Stevenson
Leonard	Tarwater
Loggins	Westbrook
McCracken	

Absent—Excused

Carssow	Langdon
Dean	McDonald
Kern	Patterson of Mills

Mr. Blankenship moved that House Bill No. 743 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—98

Adkins	King
Alexander	Lanning
Alsup	Leonard
Amos	Leyendecker
Baker	Little
Beckworth	Loggins
Bell	London
Blankenship	Lucas
Boethel	Mann
Bond	Mauritz
Boyer	Mays
Bradbury	McDonald
Bradford	Moffett
Bridgers	Monkhouse
Broadfoot	Morris
Burton	Morse
Callan	Newton
Carssow	Oliver
Cathey	Palmer
Cauthorn	Patterson
Davis of Haskell	of Travis
Davis of Jasper	Pope
Davison of Fisher	Prescott
Deglandon	Quinn
Dollins	Reader
England	Reed of Dallas
Felty	Rhodes
Fielden	Ross
Fox	Schuenemann
Fuchs	Settle
Gibson	Sewell
Hanna	Shell
Harbin	Simpson
Hardin	Skaggs
Harper	Smith of Hopkins
Harrell	Smith
Harris of Archer	of Matagorda
Herzik	Stinson
Hoskins	Stocks
Huddleston	Talbert
Hull	Tarwater
Hyder	Tennant
James	Tennyson
Johnson	Thornberry
of Tarrant	Thornton
Jones of Angelina	Vale
Jones of Falls	Walker
Jones of Wise	Weldon
Keefe	Winfree
Keith	Worley
Kelt	

Nays—28

Cagle	Knetsch
Cleveland	Lankford
Derden	McConnell
Farmer	McFarland
Hamilton	Metcalfe
Hankamer	Nicholson
Harris of Dallas	Petsch
Harris of Dickens	Powell
Hartzog	Reed of Bowie
Howard	Russell
Jackson	Rutta
Johnson of Ellis	Sharpe
Jones of Atascosa	Waggoner
Kenyon	Wood

Absent

Bates	Leath
Brown	McCracken
Celaya	McKee
Colquitt	McKinney
Davisson	Ragsdale
of Eastland	Riddle
Dickison	Roark
Graves	Smith of Tarrant
Heflin	Stevenson
Holland	Westbrook

Absent—Excused

Dean	Langdon
Kern	Patterson of Mills

BILL RE-REFERRED

Mr. McKee moved that Senate Bill No. 214 be withdrawn from the Committee on Labor and referred to the Committee on Judiciary.

Mr. Amos moved to table the motion by Mr. McKee.

The motion to table was lost.

Question recurring on the motion by Mr. McKee, it prevailed.

Mr. McKee moved to reconsider the vote by which Senate Bill No. 214 was re-referred and to table the motion to reconsider.

The motion to table prevailed.

BILLS ORDERED NOT PRINTED

On motion of Mr. Tennyson, Senate Bill No. 422 was ordered not printed.

On motion of Mr. Graves, Senate Bill No. 425 was ordered not printed.

ADDITIONAL SIGNER OF BILL

By unanimous consent of the House, the following Member was authorized to sign bills, as co-author of same, as follows:

Mr. Petsch, House Bills Nos. 68 and 1040.

RELATIVE TO ROUTINE MOTION PERIOD

Mr. McConnell moved that the House dispense with the further consideration of routine motions, at this time, and that the House proceed to the next order of business.

The motion prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, April 1, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 321.

The following have been appointed on the part of the Senate:

Senators Pace, Woodruff, Redditt, Davis and Shivers.

Has passed

S. B. No. 41, A bill to be entitled "An Act making certain emergency appropriations out of the General Fund of the State of Texas for the Board of Water Engineers' Department for the balance of the fiscal year ending August 31, 1937, and declaring an emergency."

S. B. No. 240, A bill to be entitled "An Act amending Article 2525, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature, Article 2526, R. C. S. of Texas, 1925, Article 2527, R. C. S. of Texas, 1925, Article 2528, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature, Article 2529, R. C. S. of Texas, 1925, Article 2530, R. C. S. of Texas, 1925, Article 2531, R. C. S. of Texas, 1925, Article 2532, R. C. S. of Texas, 1925, Article 2533, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature, Article 2534, R. C. S. of Texas, 1925, Article 2535, R. C. S. of Texas, 1925, Article 2537, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature; repealing all laws and parts of laws in conflict and expressly repealing Article 2539, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature, and declaring and emergency."

S. B. No. 338, A bill to be entitled

"An Act to amend Article 6068 of the Revised Civil Statutes of Texas, etc., and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

MESSAGE FROM THE GOVERNOR

The Chair laid before the House, and had read the following message from the Governor:

Austin, Texas, March 31, 1937.

To the Members of the Forty-fifth Legislature:

I respectfully urge the immediate passage of House Bill 440, by Thornton, being a Texas application of the uniform States Narcotic Act.

The recent arrest of a man at San Antonio, who has been head starter at the Alamo Downs race track and who has served as track official at Narragansett Park in New York, and the indictment of the owner of a string of race horses, operating in this State as well as California and New York, has unveiled a startling condition in Texas resulting in charges by Federal officers that a narcotic ring has been operating throughout the country with headquarters here. According to Federal agents there was found in the room of the man arrested in San Antonio approximately three ounces of smoking opium, over a thousand grains of yen shee, a derivative of opium, and 73 grains of morphine.

I am also in receipt of the following written information from Federal officers with reference to other transactions at race tracks in Texas:

"It might be interesting to you to know that Clinton A. Briggs, who was training race horses at Alamo Downs during the last meeting, was arrested in San Antonio, Texas, on January 28, 1937, for receiving 180 grains of heroin through the United States Mails. It is my understanding that this defendant had been ruled off the race tracks, but was at the time of his arrest by my officers, training horses at Alamo Downs and using his father's name as the actual trainer. Briggs was a narcotic addict at the time of his arrest. He has already pleaded guilty and has been sentenced to a term of four years in the Federal Penitentiary.

"Just as a matter of general information, you are advised that numerous narcotic cases have been developed at the race tracks throughout the United States, including the tracks in

Texas. Some of these cases involved the 'doping' of race horses, and others involved peddlers dealing with the addicts usually found following the races from city to city."

In addition to the tremendous danger in connection with the cruel doping of horses, this narcotic traffic has become a menace to the welfare of our entire citizenship, particularly the children. I am informed that the traffic in marihuana is constantly growing; that it is being furnished to school children and our present laws are inadequate to cope with the situation. The District Supervisor for the Federal Bureau of Narcotics in this district tells me:

"The present State enforcement in Texas is entirely inadequate, and I do not have enough agents to take care of the narcotic law violations in the small towns and cities far away from our headquarter offices. In states that have passed the Uniform Narcotic Law the traffic in drugs and other crimes committed by addicts for the purpose of obtaining funds to purchase drugs have diminished to a great extent. With the passage of the uniform law in Texas, I will cooperate with the authorities in a determined effort to rid this State of those responsible for this nefarious traffic, and I am certain that the State of Texas will be greatly benefited thereby."

The uniform law proposed by House Bill 440 has been adopted in 29 states of the Union in the past three and a half years. I am advised that it has substantially rid these states of narcotic and dope peddlers, with the result that they have come into our State; and that our condition is probably the worse in the Union.

The case is stated. The evidence is overwhelming. I hope this Legislature will suspend all rules and promptly pass this worth while measure by an overwhelming vote.

Respectfully submitted,

JAMES V. ALLRED,
Governor of Texas.

RELATIVE TO RESOLUTION PERIOD

Mr. Davison of Fisher moved that the House dispense with the consideration of resolutions, at this time.

The motion prevailed.

TO RECALL SENATE BILL NO. 261

Mr. Keith asked unanimous consent of the House, that the House take up,

and consider certain resolution, relative to recalling Senate Bill No. 261 from the Senate, at this time.

There was no objection offered, and it was so ordered.

Mr. Keith offered the following resolution:

Resolved by the House, That the Senate be requested to return Senate Bill No. 261 for further consideration by the House.

CALVERT,
KEITH.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 440 ON SECOND READING

Mr. McCracken moved that the Rule governing the regular order of business be suspended, at this time, for the purpose of taking up and considering,

H. B. No. 440, A bill to be entitled "An Act defining certain words and phrases as used herein; regulating and controlling the production, preparation, manufacture, possession, transportation, sale, disposition, and use of cocoa leaves, cocaine, opium, morphine, codeine, heroin, and any compound, manufacture, salt, derivative, mixture, and preparation thereof, or of either of them; providing for licenses to persons manufacturing, compounding, mixing, cultivating, growing, or otherwise producing narcotic drugs and for wholesalers thereof; providing for an annual license fee; providing to whom manufacturer or wholesaler may sell narcotic drugs; official return and orders for such sales; when possession or control of narcotic drugs lawful; limitation on right of designated persons to administer narcotic drugs; providing for sales by pharmacists upon prescription; what prescription to state; preservation and non-refilling of prescription; sale of stock by legal owner discontinuing dealing in narcotic drugs; sales by pharmacists of solutions containing narcotic drugs; providing for prescription for, or administering, narcotic drugs by physicians or dentists; etc., and providing when this Act shall take effect."

The motion prevailed.

The Chair then laid the bill before the House, and it was read second time.

Mr. Thornton offered the following committee amendment to the bill:

Amend House Bill No. 440, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. (Definitions) The following words and phrases, as used in this Act, shall have the following meanings, unless the context otherwise requires:

(1) "Person" includes any corporation, association, co-partnership, or one or more individuals.

(2) "Physician" means a person authorized by law to practice medicine in this State and any other person authorized by law to treat sick and injured human beings in this State and to use narcotic drugs in connection with such treatment.

(3) "Dentist" means a person authorized by law to practice dentistry in this State.

(4) "Veterinarian" means a person authorized by law to practice veterinary medicine in this State.

(5) "Manufacturer" means a person who by compounding, mixing, cultivating, growing, or other process, produces or prepares narcotic drugs, but does not include an apothecary who compounds narcotic drugs to be sold or dispensed on prescriptions.

(6) "Wholesaler" means a person who supplies narcotic drugs that he himself has not produced nor prepared, on official written orders, but not on prescriptions.

(7) "Apothecary" means a licensed pharmacist as defined by the laws of this State and, where the context so requires, the owner of a store or other place of business where narcotic drugs are compounded or dispensed by a licensed pharmacist; but nothing in this Act shall be construed as conferring on a person who is not registered nor licensed as a pharmacist any authority, right, or privilege, that is not granted to him by the pharmacy laws of this State.

(8) "Hospital" means an institution for the care and treatment of the sick and injured, approved by the State Board of Health, as proper to be entrusted with the custody of narcotic drugs and the professional use of narcotic drugs under the direction of a physician, dentist or veterinarian.

(9) "Laboratory" means a laboratory approved by the State Board of Health as proper to be entrusted with the custody of narcotic drugs and the use of narcotic drugs for scientific and medical purposes and for purposes of instruction.

(10) "Sale" includes barter, exchange, or gift, or offer therefor, and each such transaction made by any person, whether as principal, proprietor, agent, servant, or employee.

(11) "Coca leaves" includes cocaine and any compound, manufacture, salt, derivative, mixture, or preparation of coca leaves, except derivatives of coca leaves which do not contain cocaine, ecgonine, or substances from which cocaine or ecgonine may be synthesized or made.

(12) "Opium" includes morphine, codeine and heroin, and any compound, manufacture, salt, derivative, mixture, or preparation of opium, but does not include apomorphine or any of its salts.

(13) The term 'Cannabis' as used in this Act shall include all parts of the plant Cannabis Sativa L., whether growing or not, the seeds thereof, the resin extracted from any part of such plant, and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin; but shall not include the noresinous oil obtained from such seed, nor the mature stalks of such plant, nor any product or manufacture of such stalks, except the resin extracted therefrom and any compound, manufacture, sale, derivative, mixture or preparation of such resin. The term 'Cannabis' shall include those varieties of Cannabis known as Marihauna, Haseesh and Hasish.

(14) "Narcotic drugs" means coca leaves, opium, and cannabis, and every substance neither chemically nor physically distinguishable from them.

(15) "Federal Narcotic Laws" means the laws of the United States relating to opium, coca leaves, and other narcotic drugs.

(16) "Official written order" means an order written on a form provided for that purpose by the United States Commissioner of Narcotics, under any laws of the United States making provisions therefor, if such order forms are authorized and required by federal law, and if

no such order form is provided, then on an official form provided for that purpose by the State Board of Health.

(17) "Dispense" includes distribute, leave with, give away, dispose of, or deliver.

(18) "Registry number" means the number assigned to each person registered under the Federal Narcotic Laws.

Section 2. (Acts Prohibited) It shall be unlawful for any person to manufacture, possess, have under his control, sell, prescribe, administer, dispense, or compound any narcotic drug.

Section 2A. It shall not be unlawful to manufacture, possess, have, control, sell, prescribe, administer, dispense or compound any narcotic drug where same is authorized under the terms of this Act.

Section 3. (Manufacturers and Wholesalers) No person shall manufacture, compound, mix, cultivate, grow, or by any other process produce or prepare narcotic drugs, and no person as a wholesaler shall supply the same, without having first obtained a license to so do from the State Board of Health. A fee of One (\$1.00) Dollar shall be charged and collected by the State Board of Health, such fee to accompany the application for each license issued under the provisions of this Act, such filing fee to be deposited by the State Board of Health with the State Treasurer on each business day following the receipt thereof and the same shall be credited to the General Fund of this State. Such licenses shall be issued by the State Board of Health upon the effective date of this Act to be in effect until July 1, 1938 and the same shall be renewed by July 1 of each succeeding year.

"Section 4. (Qualification for Licenses) No license shall be issued under the foregoing section unless and until the applicant therefor has furnished proof satisfactory to the State Board of Health:

(a) That the applicant is of good moral character or, if the applicant be an association or corporation, that the managing officers are of good moral character.

(b) That the applicant is equipped as to land, buildings, and paraphernalia properly to carry on the business described in his application.

No license shall be granted to any person who has within five years been convicted of a wilful violation of any law of the United States, or of any state, relating to opium, coca leaves, or other narcotic drugs, or to any person who is a narcotic drug addict.

The State Board of Health may suspend or revoke any license for cause.

"Section 5. (Sale on Written Orders)

(1) A duly licensed manufacturer or wholesaler may sell and dispense narcotic drugs to any of the following persons, but only on official written orders:

(a) To a manufacturer, wholesaler, or apothecary.

(b) To a physician, dentist, or veterinarian.

(c) To a person in charge of a hospital, but only for use by or in that hospital.

(d) To a person in charge of a laboratory, but only for use in that laboratory for scientific and medical purposes.

(2) A duly licensed manufacturer or wholesaler may sell narcotic drugs to any of the following persons:

(a) On a special written order accompanied by a certificate of exemption, as required by the Federal Narcotic Laws, to a person in the employ of the United States Government, or of any state, territorial, district, county, municipal, or insular government, purchasing, receiving, possessing, or dispensing narcotic drugs by reason of his official duties.

(b) To a master of a ship or a person in charge of any aircraft upon which no physician is regularly employed, or to a physician or surgeon duly licensed in some State, Territory, or the District of Columbia to practice his profession, or to a retired commissioned medical officer of the United States Army, or Public Health Service employed upon such ship or aircraft, for the actual medical needs of persons on board such ship or aircraft when not in port. Provided: Such narcotic drugs shall be sold to the master of such ship or person in charge of such aircraft or to the physician, surgeon, or retired commissioned medical officer of the United States Army, Navy, or Public Health Service employed upon such ship or aircraft only

in pursuance of a special order form approved by a commissioned medical officer or acting assistant surgeon of the United States Public Health Service.

(c) To a person in a foreign country if the provisions of the Federal Narcotic Laws are complied with.

(3) (Use of Official Written Orders.) An official written order for any narcotic drug shall be signed in duplicate by the person giving said order or by his duly authorized agent. The original shall be presented to the person who sells or dispenses the narcotic drug or drugs named therein. In the event of the acceptance of such order by said person, each party to the transaction shall preserve his copy of such order for a period of two years in such way as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this Act. It shall be deemed a compliance with this subsection if the parties to the transaction have complied with the Federal Narcotic Laws, respecting the requirements governing the use of order forms.

(4) (Possession Lawful.) Possession of or control of narcotic drugs obtained as authorized by this section shall be lawful if in the regular course of business, occupation, profession, employment, or duty of the possessor.

(5) A person in charge of a hospital or of a laboratory, or in the employ of this State or of any other state, or of any political subdivision thereof, or a master of a ship or a person in charge of any aircraft upon which no physician is regularly employed, or a physician or surgeon duly licensed in some State, Territory, or the District of Columbia, to practice his profession, or a retired commissioned medical officer of the United States Army, Navy, or Public Health Service employed upon such ship or aircraft, who obtains narcotic drugs under the provisions of this section or otherwise, shall not administer nor dispense, nor otherwise use such drugs, within this State, except within the scope of his employment or official duty, and then only for scientific or medical purposes and subject to the provisions of this Act.

"Section 6. (Sales by Apothecaries)

(1) An apothecary, in good faith, may sell and dispense narcotic drugs to any person upon a written prescription of a physician, dentist, or veterinarian, dated and signed by the per-

son prescribing on the day when issued and bearing the full name and address of the patient for whom, or of the owner of the animal for which, the drug is dispensed, and the full name, address, and registry number under the Federal Narcotic Laws of the person prescribing, if he is required by those laws to be so registered. If the prescription be for an animal, it shall state the species of animal for which the drug is prescribed. The person filling the prescription shall write the date of filling and his own signature on the face of the prescription. The prescription shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of two years, so as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this Act. The prescription shall not be refilled.

(2) The legal owner of any stock of narcotic drugs in a pharmacy, upon discontinuance of dealing in said drugs, may sell said stock to a manufacturer, wholesaler, or apothecary, but only on an official written order.

(3) An apothecary, only upon an official written order, may sell to a physician, dentist, or veterinarian, in quantities not exceeding one ounce at any one time, aqueous or oleaginous solutions of which the content of narcotic drugs does not exceed a proportion greater than twenty percent of the complete solution, to be used for medical purposes.

"Section 7. (Professional Use of Narcotic Drugs)

(1) (Physicians and Dentists) A physician or a dentist in good faith and in the course of his professional practice only, may prescribe, administer, and dispense narcotic drugs; or he may cause the same to be administered by a nurse or interne under his direction and supervision.

(2) (Veterinarians) A veterinarian, in good faith and in the course of his professional practice only, and not for use by a human being, may prescribe, administer, and dispense narcotic drugs, and he may cause them to be administered by an assistant or orderly under his direction and supervision.

(3) (Return of Unused Drugs) Any person who has obtained from a physician, dentist, or veterinarian any narcotic drug for administration to a patient during the absence of such

physician, dentist, or veterinarian, shall return to such physician, dentist, or veterinarian any unused portion of such drug, when it is no longer required by the patient.

"Section 8. (Preparations Exempted) Except as otherwise in this Act specifically provided, this Act shall not apply to the following cases:

(1) Prescribing, administering, dispensing, or selling at retail of any medicinal preparation that contains in one fluid ounce, or if a solid or semi-solid preparation, in one avoirdupois ounce, (a) not more than two grains of opium, (b) not more than one-quarter of a grain of morphine or of any of its salts, (c) not more than one grain of codeine or of any of its salts, (d) not more than one-eighth of a grain of heroin or of any of its salts, (e) not more than one-half of a grain of extract of cannabis nor more than one-half of a grain of any more potent derivative or preparation of cannabis, (f) and not more than one of the drugs named above in clauses (a), (b), (c), (d), and (e).

(2) Prescribing, administering, dispensing, or selling at retail of liniments, ointments, and other preparations, that are susceptible of external use only and that contain narcotic drugs in such combinations as prevent their being readily extracted from such liniments, ointments, or preparations, except that this Act shall apply to all liniments, ointments, and other preparations, that contain coca leaves in any quantity or combination.

The exemptions authorized by this section shall be subject to the following conditions:

(a) No person shall prescribe, administer, dispense, or sell under the exemptions of this section, to any one person, or for the use of any one person or animal, any preparation or preparations included within this section, when he knows, or can by reasonable diligence ascertain, that such prescribing, administering, dispensing, or selling will provide the person to whom or for whose use, or the owner of the animal for the use of which such preparation is prescribed, administered, dispensed, or sold, within any forty-eight consecutive hours, with more than four grains of opium, or more than one-half grain of morphine or of any of its salts, or more than two grains of codeine or of any of its salts, or more than one-quarter of a grain of heroin or of any of its salts, or more

than one grain of extract of cannabis or one grain of any more potent derivative of or preparation of cannabis, or will provide such person or the owner of such animal, within 48 consecutive hours, with more than one preparation exempted by this section from the operation of this Act.

(b) The medicinal preparation, or the liniment, ointment, or other preparation susceptible of external use only, prescribed, administered, dispensed, or sold, shall contain, in addition to the narcotic drug in it, some drug or drugs conferring upon it medicinal qualities other than those possessed by the narcotic drug alone. Such preparation shall be prescribed, administered, dispensed, and sold in good faith as a medicine, and not for the purpose of evading the provisions of this Act.

Nothing in this section shall be construed to limit the kind and quantity of any narcotic drug that may be prescribed, administered, dispensed, or sold, to any person or for the use of any person or animal, when it is prescribed, administered, dispensed, or sold, in compliance with the general provisions of this Act.

"Section 9. (Record to Be Kept)

(1) (Physicians, Dentists, Veterinarians, and other Authorized Persons) Every physician, dentist, veterinarian or other person who is authorized to administer or professionally use narcotic drugs, shall keep a record of such drugs received by him, and a record of all such drugs administered, dispensed, or professionally used by him otherwise than by prescription. It shall, however, be deemed a sufficient compliance with this subsection if any such person using small quantities of solutions or other preparations of such drugs for local application, shall keep a record of the quantity, character, and potency of such solutions or other preparations purchased or made up by him, and of the dates when purchased or made up by him, without keeping a record of the amount of such solution or other preparation applied by him to individual patients.

Provided. That no record need be kept of narcotic drugs administered, dispensed, or professionally used in the treatment of any one patient, when the amount administered, dispensed, or professionally used for that purpose does not exceed in any forty-eight consecutive hours, (a) four grains of

opium, or (b) one-half of a grain of morphine or of any of its salts, or (c) two grains of codeine or of any of its salts, or (d) one-fourth of a grain of heroin or of any of its salts, or (e) one grain of extract of cannabis or one grain of any more potent derivative or preparation of cannabis, or (f) a quantity of any other narcotic drug or any combination of narcotic drugs that does not exceed in pharmacologic potency any one of the drugs named above in the quantity stated.

(2) (Manufacturers and Wholesalers.) Manufacturers and wholesalers shall keep records of all narcotic drugs compounded, mixed, cultivated, grown, or by any other process produced or prepared, and of all narcotic drugs received and disposed of by them, in accordance with the provisions of subsection 5 of this section.

(3) (Apothecaries.) Apothecaries shall keep records of all narcotic drugs received and disposed of by them, in accordance with the provisions of subsection 5 of this section.

(4) (Vendors of Exempted Preparations.) Every person who purchases for resale, or who sells narcotic drug preparations exempted by Section 8 of this Act, shall keep a record showing the quantities and kinds thereof received and sold, or disposed of otherwise, in accordance with the provisions of subsection 5 of this section.

(5) (Form and Preservation of Records) The form of records shall be prescribed by the State Board of Health. The record of narcotic drugs received shall in every case show the date of receipt, the name and address of the person from whom received, and the kind and quantity of drugs received; the kind and quantity of narcotic drugs produced or removed from process of manufacture, and the date of such production or removal from process of manufacture; and the record shall in every case show the proportion of morphine, cocaine, or ecgonine contained in or producible from crude opium or coca leaves received or produced, and the proportion of resin contained in or producible from the dried flowering or fruiting tops of the pistillate plant *Cannabis Sativa L.*, from which the resin has not been extracted, received or produced. The record of all narcotic drugs sold, administered, dispensed, or otherwise disposed of, shall show the date of selling, administer-

ing, or dispensing, the name and address of the person to whom, or for whose use, or the owner and species of animal for which the drugs were sold, administered, or dispensed, and the kind and quantity of drugs. Every such record shall be kept for a period of two years from the date of the transaction recorded. The keeping of a record required by or under the Federal Narcotic Laws, containing substantially the same information as is specified above, shall constitute compliance with this section, except that every such record shall contain a detailed list of narcotic drugs lost, destroyed, or stolen, if any, the kind and quantity of such drugs, and the date of the discovery of such loss, destruction, or theft.

"Section 10. (Labels)

(1) Whenever a manufacturer sells or dispenses a narcotic drug, and whenever a wholesaler sells or dispenses a narcotic drug in a package prepared by him, he shall securely affix to each package in which that drug is contained a label showing in legible English the name and address of the vendor and the quantity, kind, and form of narcotic drug contained therein. No person, except an apothecary for the purpose of filling a prescription under this Act, shall alter, deface, or remove any label so affixed.

(2) Whenever an apothecary sells or dispenses any narcotic drug on a prescription issued by a physician, dentist, or veterinarian, he shall affix to the container in which such drug is sold or dispensed, a label showing his own name and address, and registry number, or the name, address, and registry number of the apothecary for whom he is lawfully acting; the name and address of the patient, or, if the patient is an animal, the name and address of the owner of the animal and the species of the animal; the name and address, and registry number of the physician, dentist, or veterinarian, by whom the prescription was written; and such directions as may be stated on the prescription. No person shall alter, deface, or remove any label so affixed.

"Section 11. (Authorized Possession of Narcotic Drugs by Individuals.) A person to whom or for whose use any narcotic drug has been prescribed, sold, or dispensed, by a physician, dentist, apothecary, or other

person authorized under the provisions of Section 5 of this Act, and the owner of any animal for which any such drug has been prescribed, sold, or dispensed, by a veterinarian, may lawfully possess it only in the container in which it was delivered to him, by the person selling or dispensing the same.

"Section 12. (Persons and Corporations Exempted). The provisions of this Act restricting the possession and have control of narcotic drugs shall not apply to common carriers or to warehousemen, while engaged in lawfully transporting or storing such drugs, or to any employee of the same acting within the scope of his employment; or to public officers or their employees in the performance of their official duties requiring possession or control of narcotic drugs; or to temporary incidental possession by employees or agents of persons lawfully entitled to possession, or by persons whose possession is for the purpose of aiding public officers in performing their official duties.

"Section 13. (Common Nuisances.) Any store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or any place whatever, which is resorted to by narcotic drug addicts for the purpose of using narcotic drugs or which is used for the illegal keeping or selling of the same, shall be deemed a common nuisance. No person shall keep or maintain such a common nuisance.

"Section 14. (Contraband—Seizure.) All narcotic drugs as herein defined, manufactured, sold, or had in possession contrary to any provision hereof, shall be, and the same are declared to be contraband, and shall be subject to seizure and confiscation by any officer or employee of the State Board of Health or by any peace officer who is authorized to and charged with the duty of enforcing the provisions of this Act.

"Section 15. (Seizure without Warrant). Officers and employees of the State Board of Health, and all peace officers who have authority to, and are charged with the duty of enforcing the provisions of this Act, shall have power and authority, without warrant, to enter and examine any buildings, vessels, cars, conveyances, vehicles, or other structures or places, when they have reason to believe and do believe that any

or either of same contain narcotic drugs manufactured, bought, sold, shipped, or had in possession contrary to any of the provisions of this Act, or that the receptacle containing the same is falsely labeled, except when any such building, vessel, or other structure is occupied and used as a private residence, in which event a search warrant shall be procured as hereinbelow provided.

Said officers and employees of the State Board of Health and all peace officers who have authority to, and are charged with the duty of enforcing the provisions of this Act, shall further have power and authority, without warrant, to open and examine any box, parcel, barrel, package, or receptacle in the possession of any person which they have reason to believe, and do believe contain narcotic drugs manufactured, bought, sold, shipped, or had in possession contrary to any of the provisions of this Act and that the receptacle containing same is falsely labeled.

Officers and employees of the State Board of Health and peace officers who have authority to, and are charged with the duty of enforcing the provisions of this Act, when acting under circumstances and conditions where a search or inspection is authorized without a warrant, as immediately hereinabove provided shall be given free access to and shall not be hindered or interfered with in their examination of buildings, vessels, cars, conveyances, vehicles, or other structures or places, and in case any officer or employee of the State Board of Health is hindered or interfered with in making such examination, any license held by the person preventing such free access or interfering or hindering such officers, employees, or employee, shall be subject to revocation by the State Board of Health.

Officers and employees of the State Board of Health and all peace officers who have authority to, and are charged with the duty of enforcing the provisions of this Act, shall have authority to take into their possession any and all narcotic drugs found by them as a result of any search or inspection without a warrant, as authorized by this section of this Act provided that said officers shall be required to issue to the person from whose possession said narcotics are

taken a receipt therefor if said person is present and to immediately file a sworn inventory of all narcotic drugs taken with any magistrate in the County where said narcotic drugs are taken, and the retention and disposition of said narcotic drugs so taken by any said officer shall, after coming to his possession, be controlled by the applicable provisions of Section 16 hereof.

"Section 16. (Search Warrants—Issuance.) Whenever any officers or employee of the State Board of Health or any peace officer who has the authority to and is charged with the duty of enforcing the provisions of this Act, shall have reason to believe that any person has in his possession any narcotic drugs contrary to the provisions hereof, he may file, or cause to be filed his sworn complaint to such effect before any magistrate of the county in which any such narcotic drugs are located, and procure a search warrant and examine the same. The application for the issuance of and execution of any such search warrant hereunder, and all proceedings relative thereto, shall conform as near as may be to the provisions of Title Six of the Code of Criminal Procedure, except where otherwise provided in this Act. Upon the execution of such search warrant the officer executing the same shall make due return thereof to the court issuing the same, together with a sworn inventory of all narcotic drugs taken thereunder. The court shall thereupon issue process against the person owning or controlling the narcotic drugs and upon return thereof it shall proceed to determine whether or not the same are held or possessed in violation of the provisions of this Act, and make up a finding to the effect that the drugs are so illegally held or possessed, a judgment shall be entered against the owner or person found in the possession of the same for the costs of the proceedings and provide for the disposition of the property forfeited, as provided by the terms hereof. In no event shall the narcotic drugs seized by any authorized person under authority of a search warrant or without authority of a search warrant be taken from the custody of any officer or other person authorized to seize same, by writ of replevin or other process, but the same shall be held by the officer to await

the final judgment in such criminal proceedings as may be had thereon.

"Section 17. (Narcotic Drugs to be Delivered to State Official, Etc.) All narcotic drugs, the lawful possession of which is not established or the title to which cannot be ascertained, which have come into the custody of a peace officer, shall be forfeited, and disposed of as follows:

(a) Except as in this section otherwise provided, the Judge of the District Court having jurisdiction shall order such narcotic drugs forfeited and destroyed. A record of the place where said drugs were seized, of the kinds and quantities of drugs so destroyed, and of the time, place, and manner of destruction, shall be kept, and a return under oath, reporting said destruction, shall be made to the said District Court and to the United States Commissioner of Narcotics, by the officer who destroys them.

(b) Upon written application by the State Board of Health, the Judge of the District Court by whom the forfeiture of narcotic drugs has been decreed may order the delivery of any of them, except heroin and its salts and derivatives, to said State Board of Health, for distribution or destruction, as hereinafter provided.

(c) Upon application by any hospital within this State, not operated for private gain, the State Board of Health may in its discretion deliver any narcotic drugs that have come into its custody by authority of this section to the applicant for medicinal use. The State Board of Health may from time to time deliver excess stocks of such narcotic drugs to the United States Commissioner of Narcotics, or may destroy the same.

(d) The State Board of Health shall keep a full and complete record of all drugs received and of all drugs disposed of, showing the exact kinds, quantities, and forms of such drugs; the persons from whom received, and to whom delivered; by whose authority received, delivered, and destroyed; and the dates of the receipt, disposal, or destruction, which record shall be open to inspection by all Federal or State Officers charged with the enforcement of Federal and State narcotic laws.

"Section 18. (Notice of Conviction to Be Sent to Licensing Board.) On the conviction of any person of the violation of any provisions of this Act, a copy of the judgment and sentence,

and of the opinion of the court or magistrate, if any opinion be filed, shall be sent by the clerk of the court, or by the magistrate, to the board or officer, if any, by whom the convicted defendant has been licensed or registered to practice his profession or to carry on his business. On the conviction of any such person, the court may, in its discretion, suspend or revoke the license or registration of the convicted defendant to practice his profession or to carry on his business. On the application of any person whose license or registration has been suspended or revoked, and upon proper showing and for good cause, said board or officer may reinstate such license or registration.

"Section 19. (Records, Confidential.) Prescriptions, orders, and records, required by this Act, and stocks of narcotic drugs, shall be open for inspection only to Federal, State, county, and municipal officers, whose duty it is to enforce the laws of this State or of the United States relating to narcotic drugs. No officer having knowledge by virtue of his office of any such prescription, order or record shall divulge such knowledge, except in connection with a prosecution or proceeding in court or before a licensing or registration board or officer, to which prosecution or proceeding the person to whom such prescription, orders, or records relate is a party.

"Section 20. (Fraud or Deceit).

(1) No person shall obtain or attempt to obtain a narcotic drug, or procure or attempt to procure the administration of a narcotic drug, (a) by fraud, deceit, misrepresentation, or subterfuge; or (b) by the forgery or alteration of a prescription or of any written order; or (c) by the concealment of a material fact; or (d) by the use of a false name or the giving of a false address.

(2) Information communicated to a physician in an effort unlawfully to procure a narcotic drug, or unlawfully to procure the administration of any such drug, shall not be deemed a privileged communication.

(3) No person shall wilfully make a false statement in any prescription, order, report, or record, required by this Act.

(4) No person shall, for the purpose of obtaining a narcotic drug, falsely assume the title of, or represent himself to be, a manufacturer,

wholesaler, apothecary, physician, dentist, veterinarian, or other authorized person.

(5) No person shall make or utter any false or forged prescription or false or forged written order.

(6) No person shall affix any false or forged label to a package or receptacle containing narcotic drugs.

(7) The provisions of this section shall apply to all transactions relating to narcotic drugs under the provisions of Section 8 of this Act, in the same way as they apply to transactions under all other sections.

"Section 21. (Exceptions and Exemptions Not Required to be Negated.) In any complaint, information, or indictment, and in any action or proceeding brought for the enforcement of any provisions of this Act, it shall not be necessary to negative any exception, excuse, proviso, or exemption, contained in this Act, and the burden of proof of any such exception, excuse, proviso, or exemption, shall be upon the defendant.

"Section 22. (Enforcement and Cooperation.) It is hereby made the duty of the State Board of Health, its officers, agents, inspectors, and representatives, and of all peace officers within the State, including all peace officers operating under the jurisdiction of the Department of Public Safety, or that may hereafter operate under its jurisdiction and all county attorneys, district attorneys, and the Attorney General to enforce all provisions of this Act, except those specifically delegated, and to cooperate with all agencies charged with the enforcement of the laws of the United States, of this State, and of all other states, relating to narcotic drugs.

There is hereby appropriated out of any funds not already appropriated, the sum of Twenty Thousand (\$20,000.00) Dollars for the use of the State Board of Health for the necessary expenses in the administration and enforcement of the provisions of this Act and the said State Board of Health is hereby authorized to hire such agents, experts, and inspectors as it deems necessary to insure the adequate administration and enforcement of the provisions of this Act and said State Board of Health may and shall pay the salary of an assistant Attorney General, to be appointed by the Attorney General of Texas, who shall give his full time to the admin-

istration and enforcement of the provisions of this Act.

"Section 23. (Penalties). Any person violating any provision of this Act shall, upon conviction, be punished by confinement in the penitentiary for not less than two (2) nor more than ten (10) years, and the benefits of the suspended sentence law shall not be available to a defendant convicted for violation of the provisions of this Act.

"Section 24. (Effect of Acquittal or Conviction under Federal Narcotic Laws.) No person shall be prosecuted for a violation of any provision of this Act if such person has been acquitted or convicted under the Federal Narcotic Laws of the same Act or omission which, it is alleged, constitutes a violation of this Act.

"Section 25. (Constitutionality.) If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

"Section 26. (Interpretation.) This Act shall be so interpreted and construed as to effectuate its general purpose, to make uniform the laws of those states which enact it.

"Section 27. (Inconsistent Laws Repealed.) All Acts or parts of Acts which are inconsistent with the provisions of this Act are hereby repealed. Chapter 35, page 45, Acts of the Regular Session of the Twenty-ninth Legislature, 1905, as amended by Chapter 150, page 277, Acts of the Regular Session of the Thirty-sixth Legislature, 1919, as amended by Chapter 61, page 156, Acts of the Second Called Session of the Thirty-sixth Legislature, 1919, Chapter 150, page 277, Acts of the Regular Session of the Thirty-sixth Legislature, 1919, Chapter 97, page 154, Acts of Regular Session, Forty-second Legislature, 1931, as amended by Chapter 204, page 609, Acts, Regular Session, Forty-third Legislature, 1933, are hereby expressly repealed.

"Section 28. (Name of Act.) This Act may be cited as the Uniform Narcotic Drug Act.

"Section 29. (Time of Taking Effect.) This Act shall take effect and be in full force ninety (90) days after date of final adjournment."

JOHNSON of Tarrant.

Mr. Smith of Matagorda offered the following amendment to the committee amendment:

Amend House Bill No. 440, page 6, Section 6, line 6, after the word "prescribing" and insert "on the second day" instead of "on the day".

The amendment was adopted.

The committee amendment, as amended, was adopted.

Mr. Thornton offered the following committee amendment to the bill:

Amend House Bill No. 440, by striking out all above the enacting clause and inserting in lieu thereof the following:

"A Bill

To Be Entitled

An Act defining certain words and phrases as used herein; regulating and controlling the production, preparation, manufacture, possession, transportation, sale, disposition, and use of cocoa leaves, cocaine, opium, morphine, codeine, cannabis, heroine, and any compound, manufacture, salt, derivative, mixture, and preparation thereof, or of either of them; providing for licenses to persons manufacturing, compounding, mixing, cultivating, growing, or otherwise producing narcotic drugs and for wholesalers thereof; providing for an annual license fee; providing to whom manufacturer or wholesaler may sell narcotic drugs; official return and orders for such sales; when possession or control of narcotic drugs lawful; limitation on right of designated persons to administer narcotic drugs; providing for sales by apothecaries upon prescription; what prescription to state; preservation and non-refilling of prescription; sale of stock by legal owner discontinuing dealing in narcotic drugs; sales by apothecaries of solutions containing narcotic drugs; providing for prescription for, or administering, narcotic drugs by physicians or dentists; what prescription to state; providing for return of unused drugs; prescription for, or administering narcotic drugs by veterinarians; what prescription to state; providing to what acts or sales provisions of Act do not apply; to what conditions, exceptions subjected; when no limit on kind

and quantity of narcotic drug prescribed or sold; providing for records to be kept by physicians, dentists, veterinarians, and other authorized persons, for records to be kept by manufacturers and wholesalers, for records to be kept by apothecaries; form of records prescribed by State Board of Pharmacy; what records to state; preservation thereof; record of narcotic drug laws destroyed or stolen; providing what labels to be affixed to narcotic drugs in packages and what said labels to state; what labels to be affixed to narcotic drugs sold by pharmacists on prescription and what said labels to state; when narcotic drugs to remain in container in which sold; providing to whom provisions of Act restricting possession and control of narcotic drugs do not apply; providing that any store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or other place deemed a common nuisance for purposes of Act; providing that narcotic drugs manufactured, sold, or had in possession in violation of this Act are contraband and subject to seizure and confiscation; providing for seizure of contraband narcotic drugs without warrant; providing for issuance of search warrants by magistrates upon proper information to search for and seize contraband narcotic drugs; providing for the forfeiture of and disposal of forfeited narcotic drugs; records to be kept for the State Board of Health; providing to whom copy of judgment and sentence, on conviction of violation of Act, to be sent; suspension or revocation by court of license on conviction of defendant; reinstatement of license or registration; providing for inspection of prescriptions, orders, and records and stocks of narcotic drugs by officers charged with the duty of enforcing the provisions of this Act; when officer may divulge knowledge obtained by such inspection; prohibiting the obtaining of narcotic drugs by fraud, deceit, misrepresentation, or subterfuge, by forgery or alteration of prescription or written order, by concealment of material fact, by use of false name or false address; providing when communication to physician not privileged; prohibiting false statement in prescription

order, report or record; prohibiting the false assumption of title of manufacturer, wholesaler, apothecary, physician, dentist, veterinary, or other authorized person for the purpose of obtaining narcotic drugs; prohibiting the forgery of prescription or written order; providing that provisions of section apply to transaction under Section 8 hereof; providing that in any indictment, information, or complaint hereunder, it shall not be necessary to negative any exception, excuse, proviso, or exemption contained in this Act; placing burden of proof thereof upon defendant; appropriating Twenty Thousand (\$20,000.00) Dollars out of the General Fund of this State to insure the adequate enforcement of the provisions of this Act; providing for the State Board of Health to pay the salary of an assistant Attorney General specifically designated to help administer and enforce the provisions of this Act out of such appropriation; providing penalty for violation of Act; providing that suspended sentence law shall not be available to person convicted for violation of Act; providing that no prosecution for violation if previously acquitted or convicted of same violation under Federal Narcotic Act; providing that if any provision hereof is held to be invalid, other provisions will not be affected; providing for the rule of construction of this Act; repealing Chapter 35, page 45, Acts of the Regular Session of the 29th Legislature, 1905, as amended by Chapter 150, page 277, Acts of the Regular Session of the 36th Legislature, 1919, as amended by Chapter 61, page 156, Acts of the Second Called Session of the 36th Legislature, 1919, Chapter 150, page 277, Acts of the Regular Session of the 36th Legislature, 1919, Chapter 97, page 154, Acts of the Regular Session, Forty-second Legislature, 1931, as amended by Chapter 204, page 609, Acts, Regular Session, Forty-third Legislature, 1933, repealing all laws or parts of laws inconsistent herewith; providing how this Act shall be cited, and providing when this Act shall take effect."

JOHNSON of Tarrant.

The amendment was adopted.

Mr. Thornton offered the following amendment to the bill:

Amend House Bill No. 440, line 6, page 6, by striking out the word "when" and insert in lieu thereof the words "after the same is".

The amendment was adopted.

Mr. Thornton offered the following amendment to the bill:

Amend House Bill No. 440, by adding thereto "an emergency clause".

The amendment was adopted.

House Bill No. 440 was then passed to engrossment.

HOUSE BILL NO. 440 ON THIRD READING

Mr. Thornton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 440 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132

Adkins	Gibson
Alexander	Hamilton
Alsup	Hankamer
Amos	Hanna
Baker	Harbin
Beckworth	Hardin
Bell	Harper
Blankenship	Harrell
Boethel	Harris of Archer
Bond	Harris of Dallas
Boyer	Harris of Dickens
Bradbury	Hartzog
Bridgers	Heflin
Broadfoot	Herzik
Brown	Hoskins
Burton	Howard
Callan	Huddleston
Cathey	Hull
Cauthorn	Hyder
Celaya	Jackson
Cleveland	James
Colquitt	Johnson of Ellis
Davis of Haskell	Johnson
Davis of Jasper	of Tarrant
Davison of Fisher	Jones of Angelina
Davison	Jones of Atascosa
of Eastland	Jones of Falls
Deglandon	Jones of Wise
Derden	Keefe
Dickison	Keith
Dollins	Kelt
England	Kenyon
Farmer	King
Felty	Knetsch
Fielden	Lankford
Fox	Lanning

Leonard	Rhodes
Leyendecker	Roark
Little	Ross
Loggins	Russell
London	Rutta
Lucas	Schuenemann
Mann	Settle
Mays	Sewell
McConnell	Sharpe
McCracken	Shell
McDonald	Simpson
McFarland	Skaggs
McKee	Smith of Hopkins
McKinney	Smith
Moffett	of Matagorda
Monkhouse	Smith of Tarrant
Morris	Stevenson
Morse	Stinson
Newton	Stocks
Nicholson	Talbert
Oliver	Tarwater
Palmer	Tennant
Patterson	Tennyson
of Travis	Thornberry
Petsch	Thornton
Pope	Vale
Powell	Waggoner
Quinn	Walker
Ragsdale	Weldon
Reader	Winfree
Reed of Bowie	Wood
Reed of Dallas	Worley

Absent

Bates	Leath
Bradford	Mauritz
Cagle	Metcalfe
Fuchs	Prescott
Graves	Riddle
Holland	Westbrook

Absent—Excused

Carssow	Langdon
Dean	Patterson of Mills
Kern	

The Chair then laid House Bill No. 440 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—135

Adkins	Boyer
Alexander	Bradbury
Alsup	Bridgers
Amos	Broadfoot
Baker	Brown
Bates	Burton
Beckworth	Cagle
Bell	Callan
Blankenship	Carssow
Boethel	Cathey
Bond	Cauthorn

Celaya	Mauritz
Cleveland	McConnell
Colquitt	McCracken
Davis of Haskell	McDonald
Davis of Jasper	McFarland
Davison of Fisher	McKee
Davisson	McKinney
of Eastland	Metcalfe
Deglandon	Moffett
Derden	Monkhouse
Dickison	Morris
Dollins	Morse
England	Newton
Farmer	Nicholson
Felty	Oliver
Fielden	Palmer
Fox	Patterson
Fuchs	of Travis
Gibson	Petsch
Graves	Pope
Hamilton	Powell
Hankamer	Quinn
Harbin	Ragsdale
Hardin	Reader
Harper	Reed of Bowie
Harrell	Reed of Dallas
Harris of Archer	Rhodes
Harris of Dallas	Roark
Harris of Dickens	Ross
Hartzog	Russell
Heflin	Rutta
Herzik	Schuenemann
Hoskins	Settle
Huddleston	Sewell
Hull	Sharpe
Hyder	Simpson
Jackson	Skaggs
James	Smith of Hopkins
Johnson of Ellis	Smith
Johnson	of Matagorda
of Tarrant	Smith of Tarrant
Jones of Angelina	Stevenson
Jones of Atascosa	Stinson
Jones of Falls	Stocks
Jones of Wise	Talbert
Keith	Tarwater
Kelt	Tennant
Kenyon	Tennyson
King	Thornberry
Knetsch	Thornton
Lankford	Vale
Lanning	Waggoner
Leonard	Walker
Leyendecker	Weldon
Little	Westbrook
Loggins	Winfree
London	Wood
Lucas	Worley
Mann	
Bradford	Absent
Hanna	Leath
Holland	Mays
Howard	Prescott
Keefe	Riddle
	Shell

Absent—Excused

Dean
KernLangdon
Patterson of MillsSENATE BILL NO. 74 ON THIRD
READING

The Chair laid before the House, on its third reading and final passage,

S. B. No. 74, A bill to be entitled "An Act defining and regulating the practice of professional engineering in the State of Texas."

The bill was read third time.

Mr. Broadfoot offered the following amendment to the bill:

Amend Senate Bill No. 74, by adding immediately after line 20, page 9, the following:

"Engineers as described herein shall not be required to be employed except upon constructions and buildings in which the public health or public safety is involved."

The amendment was adopted.

Mr. Jones of Wise offered the following amendment to the bill:

Amend Senate Bill No. 74, by striking out at the end of Section 5, page 3, the following: "no money shall ever be paid to any member of the Board from the General Fund of the State", and substitute therefor the following: "no money shall ever be paid for the administration of this Act from the General Fund of the State".

JONES of Wise,
WOOD.

The amendment was adopted.

Mr. Wood offered the following amendment to the bill:

Amend Senate Bill No. 74, by adding the following after the word "State" in line 5, page 3, "and shall file a good and sufficient bond in the sum of \$5,000.00 payable to the Governor of the State of Texas".

The amendment was adopted.

Mr. Wood offered the following amendment to the bill:

Amend Senate Bill No. 74, by changing the period to a semi-colon after the word "age" in line 14, page 6, and add the following: "provided, however, any person who has at least two years actual experience in engineering shall be eligible to take the examination required under the provisions of this Act".

The amendment was adopted.

Mr. Jones of Wise offered the following amendment to the bill:

Amend Senate Bill No. 74, by adding a new sentence to Section 19, page 9, to read as follows:

"The provisions of this section shall not apply to counties in which no registered professional engineer legally resides."

The amendment was adopted.

Mr. Lanning offered the following amendment to the bill:

Amend Senate Bill No. 74 substitute on page 7, line 15, by adding, "provided that the money collected shall be paid into the State Treasury in a fund known as the 'State Professional Engineering Fund' at the end of each week, and shall be disbursed by checks drawn by the State Comptroller, signed by the State Treasurer, appropriated by the Legislature."

The amendment was adopted.

Mr. Beckworth offered the following amendment to the bill:

Amend Senate Bill No. 74, page 5, lines 32, 33, 34 and 35, by striking out these lines and inserting in lieu thereof the following:

"A person shall not have to attend an engineering school more than two years and he shall not be required to have more than 3 years experience."

The amendment was adopted.

Mr. Wood offered the following amendment to the bill:

Amend Senate Bill No. 74, by adding a new section at the proper place, as follows:

"Provided further the provisions of this Act shall not apply to those persons who desire to erect or build private dwellings and buildings."

The amendment was adopted.

Mr. Jones of Wise offered the following amendment to the bill:

Amend Senate Bill No. 74, page 9, Section 19, by adding the following:

"Provided that this section shall not apply to any road construction work undertaken by County Commissioners Court."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 74 was then passed by the following vote:

Yeas—105

Alsup	Keefe
Amos	Keith
Baker	Kelt
Beckworth	King
Bell	Knetsch
Blankenship	Lanning
Boethel	Leyendecker
Bond	Little
Boyer	Loggins
Bradbury	London
Bridgers	Mann
Brown	Mauritz
Burton	Mays
Cagle	McConnell
Carssow	McCracken
Cathey	McFarland
Cauthorn	McKee
Celaya	McKinney
Cleveland	Metcalfe
Colquitt	Moffett
Davis of Haskell	Monkhouse
Davis of Jasper	Morse
Davison of Fisher	Newton
Davisson	Oliver
of Eastland	Petsch
Dickison	Prescott
Dollins	Quinn
Farmer	Reader
Felty	Reed of Dallas
Fox	Riddle
Gibson	Roark
Hamilton	Ross
Hankamer	Russell
Hanna	Rutta
Harbin	Schuenemann
Harrell	Settle
Harris of Dallas	Sewell
Harris of Dickens	Sharpe
Hartzog	Shell
Heflin	Smith of Tarrant
Herzik	Stinson
Holland	Stocks
Hoskins	Talbert
Howard	Tennant
Huddleston	Tennyson
Hull	Thornberry
Hyder	Thornton
Jackson	Vale
James	Waggoner
Johnson of Ellis	Weldon
Johnson	Westbrook
of Tarrant	Winfree
Jones of Angelina	Wood
Jones of Wise	

Nays—24

Adkins	Derden
Broadfoot	England
Callan	Fielden
Deglandon	Fuchs

Harris of Archer	Pope
Jones of Atascosa	Powell
Jones of Falls	Reed of Bowie
Lankford	Rhodes
Lucas	Simpson
Morris	Skaggs
Palmer	Smith of Hopkins
Patterson of Travis	Worley

Absent

Alexander	Leonard
Bates	Nicholson
Bradford	Ragsdale
Graves	Smith
Hardin	of Matagorda
Harper	Stevenson
Kenyon	Tarwater
Leath	Walker

Absent—Excused

Dean	McDonald
Kern	Patterson of Mills
Langdon	

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 131

Mr. Tennyson, Chairman, submitted the following conference committee report on House Bill No. 131:

Committee Room,

Austin, Texas, March 31, 1937.

Hon. Walter F. Woodul, President of the Senate, and

Hon. R. W. Calvert, Speaker of the House of Representatives.

Gentlemen:

We, your Conference Committee, to whom was referred House Bill No. 131, have had same under consideration and we recommend to the Senate and to the House of Representatives that said bill pass in the form attached hereto.

Respectfully submitted,

ONEAL,
BURNS,
WINFIELD,

On the part of the Senate.

TENNYSON,
HARRIS of Archer,
RUTTA,
SMITH of Matagorda,
WALKER,

On the part of the House.

H. B. No. 131,

A BILL

To Be Entitled

"An Act amending Article 1119, of the Revised Civil Statutes of Texas of 1925, so as to make its provisions

apply to all incorporated cities or towns incorporated under the General Laws of the State of Texas; providing that persons, companies, or corporations engaged in furnishing water, gas, telephone, light, power, or sewerage service in incorporated cities and towns shall be included in the provisions of said Article; and to limit the earnings of persons, companies, or corporations coming within the provisions of said Article to an amount not exceeding a fair return upon the fair value of the property used and useful in rendering its service to the public, which return shall never exceed eight per cent (8%) per annum; repealing all laws and parts of laws in conflict herewith; providing if any part of the Act is declared unconstitutional, it shall not affect the validity of the remainder of the Act, and declaring an emergency."

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Article 1119 of the Revised Civil Statutes of Texas, 1925, be amended so as to hereafter read as follows:

"Article 1119. The governing body of all incorporated cities and towns in this State incorporated under the general laws thereof shall have the power to regulate, by ordinance, the rates and compensation to be charged by all persons, companies, or corporations using the streets and public grounds of said city or town, and engaged in furnishing water, gas, telephone, light, power, or sewerage service to the public, and also to prescribe rules and regulations under which such commodities shall be furnished, and service rendered, and to fix penalties to enforce such charges, rules and regulations. The governing body shall not prescribe any rate or compensation which will yield more than a fair return upon the fair value of the property used and useful in rendering its service to the public, but which return in no event shall ever exceed eight per cent (8%) per annum."

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 3. If any provision of this Act shall be declared to be unconstitutional or invalid, it shall not invali-

date or affect any other provision hereof.

Sec. 4. The fact that the Supreme Court of Texas has declared invalid and unconstitutional those provisions of Article 1119, as amended by House Bill No. 798 being Chapter 226 of the Acts of the Regular Session of the Forty-second Legislature, attempting to authorize cities of over five hundred (500) population to regulate rates and service of public utilities, and those provisions thereof limiting the rate of return to eight per cent (8%) creates an emergency and an imperative public necessity that the Constitutional Rule, requiring bills to be read on three several days in each House, be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Tennyson moved that the report be adopted.

The motion prevailed by the following vote:

Yeas—115

Adkins	Harris of Dickens
Alsup	Hartzog
Amos	Heflin
Beckworth	Herzik
Bell	Holland
Blankenship	Hoskins
Boethel	Howard
Boyer	Huddleston
Bradbury	Hull
Bridgers	Hyder
Broadfoot	Jackson
Brown	James
Burton	Johnson of Ellis
Cagle	Johnson
Callan	of Tarrant
Cauthorn	Jones of Angelina
Celaya	Jones of Atascosa
Cleveland	Jones of Falls
Davis of Haskell	Jones of Wise
Davis of Jasper	Keefe
Davison of Fisher	Keith
Deglandon	Kelt
Derden	King
Dickison	Lankford
Dollins	Lanning
England	Leyendecker
Farmer	Little
Fielden	Loggins
Fox	London
Gibson	Lucas
Hankamer	Mann
Hardin	Mauritz
Harper	Mays
Harrell	McConnell
Harris of Archer	McCracken

McFarland	Sharpe
McKee	Shell
Metcalfe	Simpson
Moffett	Skaggs
Monkhouse	Smith of Hopkins
Morris	Smith of Tarrant
Morse	Stevenson
Newton	Stinson
Oliver	Stocks
Palmer	Talbert
Patterson	Tarwater
of Travis	Tennant
Pope	Tennyson
Powell	Thornberry
Quinn	Thornton
Reader	Vale
Reed of Bowie	Waggoner
Rhodes	Walker
Ross	Weldon
Russell	Westbrook
Rutta	Winfree
Schuenemann	Wood
Settle	Worley
Sewell	

Nays—3

Colquitt	Reed of Dallas
Harris of Dallas	

Absent

Alexander	Harbin
Baker	Kenyon
Bates	Knetsch
Bond	Leath
Bradford	Leonard
Carssow	McKinney
Cathey	Nicholson
Davisson	Petsch
of Eastland	Prescott
Felty	Ragsdale
Fuchs	Riddle
Graves	Roark
Hamilton	Smith
Hanna	of Matagorda

Absent—Excused

Dean	McDonald
Kern	Patterson of Mills
Langdon	

MESSAGE FROM THE SENATE

Austin, Texas, April 1, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 81, A bill to be entitled "An Act to aid the Pease River Flood Control District, and declaring an emergency." (With amendments.)

H. C. R. No. 31, Encouraging the use of cotton mats to help build roads.

H. C. R. No. 49, Granting Jim Moore permission to sue Cass County for personal injuries.

H. C. R. No. 56, Granting Walter P. Dickerson permission to sue the State.

H. C. R. No. 59, Granting Sam Tobolowsky and James A. Gripeotis permission to sue the State.

H. C. R. No. 76, Granting C. A. Lanier permission to sue the Live Stock Sanitary Commission.

H. C. R. No. 66, Granting Hon. A. S. Moss, District Judge of the 100th Judicial District, permission to leave the State.

Adopted

H. S. R. No. 170, Requesting the Senate to return Senate Bill No. 261 for further consideration. Said bill is herewith returned.

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILL NO. 261 ON PASSAGE TO THIRD READING

Mr. Keith moved to suspend the Rule, which relates to the making of motions to reconsider after a motion to table has prevailed, for the purpose of making a motion to reconsider the vote by which Senate Bill No. 261 was heretofore tabled.

The motion prevailed.

The Chair then laid before the House, on its passage to third reading,

S. B. No. 261, A bill to be entitled "An Act amending Section 14, Chapter 277, Acts of the Regular Session, Forty-second Legislature, 1931, as amended by the Forty-third Legislature, 1933, relating to motor carriers, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. England, and substitute amendment by Mr. Knetsch for the amendment, pending.

The pending amendments were withdrawn.

Mr. Keith offered the following amendment to the bill:

Amend Senate Bill No. 261, by striking out all below the enacting clause, and substituting therefor the following:

"Section 1. That Section 14, Chapter 277, Acts of the Regular Session of the Forty-second Legislature, as amended

by the Forty-third Legislature, be amended to read as follows:

"Section 14-(a) The Commission shall have the power and authority, under this Act, to hear and determine all applications of motor carriers; to determine complaints presented to it by such carrier, by any public official or by any citizen having an interest in the subject matter of the complaint, or it may institute and investigate any matter pertaining to motor carriers upon its own motion. The Commission, or any member thereof, or authorized representative of the Commission, shall have power to compel the attendance of witnesses, swear witnesses, take their testimony under oath, make record thereof, and if such record is made under the direction of a Commissioner, or authorized representative of the Commission, a majority of the Commission may, upon the record, render judgment as if the case had been heard before a majority of the members of the Commission. The Commission shall have the power and authority under this Act to do and perform all necessary things to carry out the purpose, intent and provisions of this Act, whether herein specifically mentioned or not, and to that end may hold hearings at any place in Texas which it may designate.

(b) A majority of the members of the Commission, whenever deemed expedient, may require that such record consist of a brief narrative statement of the evidence and such other information as may be desired by them. In all instances where hearings are conducted and/or reported by one or more authorized representatives of the Commission, a majority of the members of the Commission may require or permit a written report to be made to the Commission, containing such recommendations and other information as may seem advisable to any such authorized representative or to the Commission."

KEITH,
CALVERT.

Mr. Knetsch offered the following amendment to the amendment by Mr. Keith:

Amend amendment to Senate Bill No. 261, by striking out the word "brief" on page 2, line 3, Section B.

The amendment was adopted.

Question—Shall the amendment by Mr. Keith be adopted?

RELATIVE TO HOUSE BILL NO. 5

Mr. Morse moved that the Committee on Liquor Traffic be instructed to report House Bill No. 5 back to the House not later than Friday morning, next April 2.

Mr. Johnson of Ellis raised a point of order, on further consideration of the motion, at this time, on the ground that the time for the consideration of routine motions has expired, and that the motion by Mr. Morse is not a privilege motion.

The Chair sustained the point of order.

Mr. Morse moved to suspend the Rule, relating to the time allotted for the consideration of routine motions, for the purpose of making the above motion.

The motion prevailed by the following vote:

Yeas—105

Alexander	Hull
Alsup	Hyder
Amos	James
Baker	Johnson
Boethel	of Tarrant
Bond	Jones of Angelina
Bridgers	Jones of Falls
Broadfoot	Kelt
Burton	Kenyon
Callan	King
Carssow	Knetsch
Cathey	Lankford
Cauthorn	Lanning
Celaya	Leonard
Cleveland	Leyendecker
Colquitt	Lucas
Davis of Haskell	Mann
Davis of Jasper	Mauritz
Dean	Mays
Deglandon	McCracken
Dickison	McFarland
England	McKee
Felty	McKinney
Fox	Metcalfe
Fuchs	Moffett
Gibson	Monkhouse
Graves	Morris
Hamilton	Morse
Hankamer	Newton
Hardin	Nicholson
Harrell	Patterson
Harris of Archer	of Travis
Harris of Dickens	Petsch
Hartzog	Pope
Heflin	Powell
Herzik	Prescott
Holland	Quinn
Hoskins	Ragsdale
Howard	Reed of Bowie
Huddleston	Rhodes

Riddle	Smith of Tarrant
Ross	Stevenson
Russell	Stinson
Rutta	Stocks
Schuenemann	Talbert
Settle	Tennyson
Sewell	Thornton
Sharpe	Vale
Shell	Waggoner
Simpson	Walker
Skaggs	Weldon
Smith of Hopkins	Winfree
Smith	Wood
of Matagorda	Worley

Nays—20

Adkins	Hanna
Beckworth	Harbin
Blankenship	Harris of Dallas
Boyer	Johnson of Ellis
Bradford	Jones of Wise
Cagle	Keefe
Derden	Keith
Dollins	McConnell
Farmer	Tennant
Fielden	Thornberry

Present—Not Voting

Bradbury

Absent

Bates	Little
Bell	Loggins
Brown	London
Davison of Fisher	Oliver
Davisson	Palmer
of Eastland	Reader
Harper	Reed of Dallas
Jackson	Roark
Jones of Atascosa	Tarwater
Leath	Westbrook

Absent—Excused

Kern	McDonald
Langdon	Patterson of Mills

Mr. Morse again moved that the Committee on Liquor Traffic be instructed to report House Bill No. 5 to the House not later than Friday morning, April 2.

Mr. Hanna moved, as a substitute motion, that the Committee be instructed to report House Bill No. 5 back to the House not later than next Wednesday, April 7.

Mr. Moffett moved to table the substitute motion by Mr. Hanna.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—94

Adkins	Alsup
Alexander	Amos

Baker	Mann
Boethel	McConnell
Bond	McCracken
Bridgers	McFarland
Broadfoot	McKee
Brown	McKinney
Burton	Metcalfe
Callan	Moffett
Carssow	Monkhouse
Cauthorn	Morris
Celaya	Morse
Cleveland	Newton
Davis of Haskell	Nicholson
Davis of Jasper	Palmer
Davison of Fisher	Patterson
Dean	of Travis
Deglandon	Petsch
England	Pope
Felty	Powell
Fox	Quinn
Fuchs	Ragsdale
Gibson	Reed of Bowie
Graves	Reed of Dallas
Hardin	Rhodes
Harris of Archer	Riddle
Harris of Dickens	Ross
Hartzog	Russell
Heflin	Rutta
Holland	Settle
Hoskins	Sharpe
Howard	Simpson
Huddleston	Skaggs
Hyder	Smith of Hopkins
James	Smith
Johnson of Ellis	of Matagorda
Johnson	Smith of Tarrant
of Tarrant	Stocks
Jones of Angelina	Talbert
Jones of Falls	Tennyson
Kelt	Thornberry
Kenyon	Thornton
King	Vale
Knetsch	Waggoner
Lankford	Walker
Lanning	Winfree
Leonard	Worley
Leyendecker	

Nays—29

Beckworth	Harrell
Bell	Harris of Dallas
Blankenship	Jones of Wise
Boyer	Keefe
Bradford	Keith
Cagle	Lucas
Cathey	Mauritz
Derden	Mays
Dollins	Prescott
Farmer	Sewell
Fielden	Stinson
Hamilton	Tennant
Hankamer	Weldon
Hanna	Wood
Harbin	

Present—Not Voting

Bradbury

Absent

Bates	Little
Colquitt	Loggins
Davisson	London
of Eastland	Oliver
Dickison	Reader
Harper	Roark
Herzik	Schuenemann
Hull	Shell
Jackson	Stevenson
Jones of Atascosa	Tarwater
Leath	Westbrook

Absent—Excused

Kern	McDonald
Langdon	Patterson of Mills

Question recurring on the motion by Mr. Morse, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—101

Adkins	Howard
Alexander	Huddleston
Alsup	Hull
Amos	Hyder
Baker	James
Bond	Johnson
Bradford	of Tarrant
Bridgers	Jones of Angelina
Brown	Jones of Falls
Burton	Jones of Wise
Callan	Kelt
Carssow	Kenyon
Cathey	King
Cauthorn	Knetsch
Celaya	Lankford
Cleveland	Lanning
Davis of Haskell	Leonard
Davis of Jasper	Lucas
Davison of Fisher	Mann
Davisson	Mauritz
of Eastland	McConnell
Dean	McCracken
England	McFarland
Felty	McKee
Fox	McKinney
Fuchs	Moffett
Gibson	Monkhouse
Graves	Morris
Hankamer	Morse
Hanna	Newton
Harbin	Nicholson
Hardin	Palmer
Harrell	Patterson
Harris of Archer	of Travis
Harris of Dickens	Petsch
Hartzog	Pope
Heflin	Powell
Hoskins	Prescott

Quinn	Smith of Tarrant
Ragsdale	Stinson
Reed of Bowie	Stocks
Reed of Dallas	Talbert
Rhodes	Tennyson
Riddle	Thornberry
Ross	Thornton
Russell	Vale
Rutta	Waggoner
Settle	Walker
Simpson	Westbrook
Skaggs	Winfree
Smith of Hopkins	Wood
Smith	Worley
of Matagorda	

Nays—23

Beckworth	Harris of Dallas
Bell	Holland
Blankenship	Johnson of Ellis
Boethel	Keefe
Boyer	Keith
Broadfoot	Mays
Cagle	Metcalf
Derden	Sewell
Dollins	Sharpe
Farmer	Tennant
Fielden	Weldon
Hamilton	

Present—Not Voting

Bradbury

Absent

Bates	Little
Colquitt	Loggins
Deglandon	London
Dickison	Oliver
Harper	Reader
Herzik	Roark
Jackson	Schuenemann
Jones of Atascosa	Shell
Leath	Stevenson
Leyendecker	Tarwater

Absent—Excused

Kern	McDonald
Langdon	Patterson of Mills

NAMING RANGERETTE MARIA TOM SQUIRES AS PRINCESS OF MASCOTS

Mr. Kenyon offered the following resolution:

Whereas, We are honored today with the presence in our House of a very beautiful and famous little lady Rangerette Maria Tom Squires of Galveston, Texas, who is well-known throughout the entire United States, and is a proper person to be elected by the House of Representatives as Princess of the Mascots of the House in the Forty-fifth Legislature; therefore, be it

Resolved, That Rangerette Maria Tom Squires of Galveston, Texas, be and she is, hereby officially named by the House as a Princess of Mascots of the House of Representatives for the Forty-fifth Legislature of the State of Texas; and, be it further

Resolved, That said Princess of Mascots have her picture made and placed with the Members of the House in the official group of this body.

KENYON.
THORNTON.

The resolution was read second time, and was adopted.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 447, "An Act prescribing certain conditions to be met before any grant or donation of State ad valorem taxes shall become finally effective in certain counties."

CONCERNING INSTRUCTION TO CERTAIN CONFERENCE COMMITTEE

Mr. McKee offered the following resolution:

Whereas, The present Session is fast drawing to a close; and

Whereas, There are many problems facing the present Session of the Legislature covering subjects which are of vital importance and interest to the people of the State of Texas; and

Whereas, On January 14, the Senate of the State of Texas sent to the House of Representatives a Concurrent Resolution regarding the Joint Rules of both Houses; and

Whereas, The Rules Committee of the House of Representatives gave a favorable report to said Senate Concurrent Resolution No. 1, to which was attached a committee substitute which was adopted by the House of Representatives; and

Whereas, The House amendment was sent to the Senate of the State of Texas and a conference committee was thereafter appointed; and

Whereas, The Session is fast drawing to a close and it is vitally necessary that there be some Joint Rules under which both Houses can operate; and

Whereas, The question of consti-

tutional amendments can only be submitted at Regular Sessions of the Legislature and not at Special Sessions; therefore, be it

Resolved, That the House conference committee appointed to adjust the differences on Senate Concurrent Resolution No. 1, be and they are hereby instructed to bring back a report not later than Monday noon, the same being April 5, 1937; and, be it further

Resolved, That if the said committee does not report by Monday noon, April 5, 1937, that Tuesday, April 6, is hereby set aside for the consideration of Joint Resolutions which shall be considered in accordance with the provisions of Rule 24 of the Joint Rules of the Forty-fourth Legislature, and the said Rule is hereby temporarily adopted.

The resolution was read second time.

Mr. Moffett raised a point of order, on further consideration of the resolution, on the ground that the resolution seeks to instruct a conference committee already appointed.

The Chair sustained the point of order.

NAMING MISS CAROL ANN HARRIS AS PRINCESS OF MASCOTS

Mr. Blankenship offered the following resolution:

Whereas, We are this day honored with the presence of a very beautiful and young lady in the person of Miss Carol Ann Harris, who has been with us but five (5) weeks, and whose presence today honors us with her first visit to the House of Representatives; and

Whereas, She is the charming daughter of the Honorable Fred Harris and Mrs. Harris, of Dallas; now, therefore, be it

Resolved, That Miss Carol Ann Harris be made a Princess of the Mascots of the House of Representatives and that her picture be taken and placed in the House with the other Mascots named heretofore, and that the Chief Clerk be instructed to forward a copy of this resolution to the young Princess.

BLANKENSHIP,
BOYER,
ENGLAND,
MORSE.

The resolution was read second time, and was adopted.

EXPRESSING APPRECIATION TO MEMBERS OF THE HOUSE

The Chair laid before the House, and had read the following communication:

THE STATE OF TEXAS
Executive Department
Austin, Texas

March 31, 1937

Members of the
House of Representatives
Austin, Texas

Dear Friends:

Jimmie and I want to thank you for the gorgeous bouquet of yellow roses, iris, snapdragons and pink and purple stock topped with the little blue Easter Bunny, which you sent to us upon the arrival of little Sam Houston. We also appreciate greatly the congratulatory resolution passed by your body, a copy of which was presented to us.

Perhaps Jimmie has already convinced you on what a rare specimen we have in young Sam—we think he is a fine youngster. His firm little features lead us to believe that he will truly merit the name of our illustrious forefather, Sam Houston. We would be delighted to have you come by and see him at any time.

Jimmie joins me in sincerest appreciation for your thoughtfulness.

Gratefully yours,

JOE BETSY ALLRED.
(Mrs. James V.)

RECESS

On motion of Mr. Hardin, the House, at 12:25 o'clock p. m., took recess until 2:30 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:30 o'clock p. m., and was called to order by Hon. Alf. Roark.

SENATE BILL NO. 422 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 422, A bill to be entitled "An Act amending Section 8 of Chapter 163, Acts of the Regular Session of the Forty-second Legislature; validating specified actions here-

tofore taken by counties, cities and towns in issuing funding and refunding securities in attempted compliance with said Chapter; validating such securities issued thereunder, and declaring an emergency."

The bill was read second time.

Mr. Leonard offered the following amendment to the bill:

Amend Senate Bill No. 422, by striking out the final clause in Section 2 of said bill beginning with the word "provided" and inserting in lieu thereof the following: "provided, however, that such validation shall not affect or in any wise apply to the subject matter of any litigation pending at the time this Act becomes effective, until such litigation is determined, finally, favorably to its validity, or until such litigation has been dismissed."

The amendment was adopted.

Senate Bill No. 422 was then passed to third reading.

SENATE BILL NO. 422 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 422 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Adkins	Dean
Alexander	Deglandon
Alsup	Derden
Baker	Dickison
Bell	Dollins
Blankenship	Farmer
Boethel	Felty
Bond	Fielden
Boyer	Fuchs
Bradbury	Gibson
Bradford	Graves
Bridgers	Hamilton
Burton	Hankamer
Cagle	Hanna
Callan	Harrell
Carssow	Harris of Archer
Cathey	Harris of Dallas
Cauthorn	Harris of Dickens
Celaya	Hartzog
Cleveland	Herzik
Colquitt	Holland
Davis of Haskell	Hoskins
Davis of Jasper	Hull
Davison of Fisher	Hyder
Davisson	Jackson
of Eastland	James

Johnson of Ellis	Patterson
Johnson	of Travis
of Tarrant	Petsch
Jones of Angelina	Pope
Jones of Atascosa	Powell
Jones of Falls	Reader
Jones of Wise	Reed of Bowie
Keefe	Reed of Dallas
Keith	Riddle
Kelt	Russell
King	Rutta
Lankford	Schuenemann
Lanning	Settle
Leonard	Sewell
Leyendecker	Sharpe
Loggins	Shell
London	Simpson
Lucas	Skaggs
Mann	Smith of Hopkins
Mauritz	Stevenson
Mays	Stinson
McConnell	Stocks
McCracken	Talbert
McDonald	Tennant
McFarland	Tennyson
McKinney	Thornberry
Metcalfe	Thornton
Moffett	Vale
Monkhouse	Waggoner
Morris	Weldon
Newton	Westbrook
Oliver	Wood
	Worley

Absent

Amos	McKee
Bates	Morse
Beckworth	Nicholson
Broadfoot	Palmer
Brown	Prescott
England	Quinn
Fox	Ragsdale
Harbin	Rhodes
Hardin	Roark
Harper	Ross
Heflin	Smith
Howard	of Matagorda
Huddleston	Smith of Tarrant
Kenyon	Tarwater
Knetsch	Walker
Little	Winfree

Absent—Excused

Kern	Leath
Langdon	Patterson of Mills

The Chair then laid Senate Bill No. 422 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—115

Adkins	Alsup
Alexander	Baker

Beckworth	Keefe
Bell	Keith
Blankenship	Kelt
Boethel	King
Bond	Lankford
Boyer	Lanning
Bradbury	Leonard
Bradford	Leyendecker
Bridgers	Little
Burton	London
Cagle	Lucas
Callan	Mann
Carssow	Mays
Cathey	McCracken
Cauthorn	McDonald
Celaya	McFarland
Cleveland	McKinney
Colquitt	Metcalf
Davis of Haskell	Moffett
Davis of Jasper	Monkhouse
Davison of Fisher	Morris
Davison	Morse
of Eastland	Newton
Dean	Nicholson
Deglandon	Oliver
Derden	Patterson
Dickison	of Travis
Dollins	Petsch
England	Reader
Farmer	Reed of Bowie
Felty	Reed of Dallas
Fielden	Rhodes
Fox	Riddle
Fuchs	Russell
Gibson	Rutta
Graves	Schuenemann
Hamilton	Settle
Hankamer	Sharpe
Hanna	Shell
Hardin	Simpson
Harris of Archer	Skaggs
Harris of Dallas	Smith of Hopkins
Harris of Dickens	Smith of Tarrant
Hartzog	Stevenson
Holland	Stinson
Hoskins	Stocks
Hull	Talbert
Hyder	Tennant
Jackson	Tennyson
James	Thornberry
Johnson of Ellis	Thornton
Johnson	Vale
of Tarrant	Waggoner
Jones of Angelina	Weldon
Jones of Atascosa	Westbrook
Jones of Falls	Wood
Jones of Wise	Worley

Absent

Amos	Harrell
Bates	Heflin
Broadfoot	Herzik
Brown	Howard
Harbin	Huddleston
Harper	Kenyon

Knetsch	Ragsdale
Loggins	Roark
Mauritz	Ross
McConnell	Sewell
McKee	Smith
Palmer	of Matagorda
Pope	Tarwater
Powell	Walker
Prescott	Winfree
Quinn	

Absent—Excused

Kern	Leath
Langdon	Patterson of Mills

**SENATE BILL NO. 261 ON
PASSAGE TO THIRD
READING**

The House resumed consideration of pending business, same being Senate Bill No. 261, Relative to the operation of motor vehicles, on its passage to third reading.

The bill having heretofore been read second time, with amendment by Mr. Keith, pending.

Mr. Keith offered the following amendment to the amendment:

Amend the pending amendment by adding at the end of subsection (b) thereof the following:

“Provided, that upon written request made therefor by any party to any proceeding affected by this subsection, or by his attorney, the Commission shall cause such record to be compiled in full, and no order shall be made by the Commission until such record is compiled and filed.”

The amendment was adopted.

The amendment, as amended, was then adopted.

Mr. Sharpe offered the following amendment to the bill:

Amend Senate Bill No. 261, by adding the following:

“Provisions of this Act shall in no way amend, repeal or affect the provisions of House Bill No. 67 of the Regular Session of the Forty-fifth Legislature.”

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 261 was then passed to third reading.

SENATE BILL NO. 261 ON THIRD READING

Mr. Keith moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 261 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113

Adkins	Jackson
Alexander	James
Alsup	Johnson of Ellis
Amos	Johnson
Baker	of Tarrant
Bates	Jones of Angelina
Beckworth	Jones of Atascosa
Blankenship	Jones of Falls
Boethel	Jones of Wise
Bond	Keefe
Boyer	Keith
Bradbury	Kelt
Bradford	King
Bridgers	Knetsch
Brown	Lanning
Burton	Leonard
Callan	Leyendecker
Carssow	Lucas
Cauthorn	Mann
Cleveland	Mays
Colquitt	McCracken
Davis of Jasper	McDonald
Davison of Fisher	McFarland
Davisson	Metcalfe
of Eastland	Moffett
Deglandon	Monkhouse
Derden	Morris
Dickison	Morse
England	Newton
Farmer	Oliver
Felty	Patterson
Fielden	of Travis
Fuchs	Petsch
Gibson	Powell
Graves	Prescott
Hamilton	Quinn
Hankamer	Ragsdale
Hanna	Reader
Harbin	Reed of Dallas
Hardin	Rhodes
Harper	Riddle
Harrell	Ross
Harris of Archer	Russell
Harris of Dallas	Rutta
Harris of Dickens	Schuenemann
Hartzog	Settle
Herzik	Sewell
Holland	Shell
Hoskins	Simpson
Huddleston	Smith of Hopkins
Hull	Smith of Tarrant
Hyder	Stinson

Stocks
Talbert
Tennant
Tennyson
Thornberry
Thornton

Vale
Waggoner
Walker
Weldon
Wood
Worley

Nays—6

Bell
Cagle
Lankford

London
Reed of Bowie
Skaggs

Absent

Broadfoot
Cathey
Celaya
Davis of Haskell
Dollins
Fox
Heflin
Howard
Kenyon
Little
Loggins
Mauritz
McConnell

McKee
McKinney
Nicholson
Palmer
Pope
Roark
Sharpe
Smith
of Matagorda
Stevenson
Tarwater
Westbrook
Winfree

Absent—Excused

Dean
Kern
Langdon

Leath
Patterson of Mills

The Chair then laid Senate Bill No. 261 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Adkins
Alexander
Alsup
Amos
Baker
Bates
Bell
Blankenship
Boethel
Bond
Boyer
Bradbury
Bradford
Bridgers
Broadfoot
Brown
Burton
Callan
Carssow
Cauthorn
Cleveland
Colquitt
Davis of Haskell
Davis of Jasper

Davison of Fisher
Davisson
of Eastland
Deglandon
Derden
Dickison
Dollins
England
Farmer
Felty
Fielden
Fox
Fuchs
Gibson
Graves
Hamilton
Hankamer
Hanna
Hardin
Harper
Harrell
Harris of Archer
Harris of Dallas
Harris of Dickens

Hartzog	Palmer
Herzik	Patterson
Holland	of Travis
Hoskins	Petsch
Huddleston	Pope
Hull	Powell
Hyder	Prescott
James	Quinn
Johnson of Ellis	Ragsdale
Johnson	Reader
of Tarrant	Reed of Dallas
Jones of Angelina	Rhodes
Jones of Atascosa	Riddle
Jones of Falls	Ross
Jones of Wise	Russell
Keefe	Rutta
Keith	Schuenemann
Kelt	Settle
King	Sewell
Knetsch	Sharpe
Lanning	Shell
Leonard	Simpson
Leyendecker	Smith of Hopkins
Little	Smith of Tarrant
Lucas	Stinson
Mann	Stocks
Mays	Talbert
McCracken	Tennant
McDonald	Tennyson
McFarland	Thornberry
McKinney	Thornton
Metcalf	Vale
Moffett	Waggoner
Monkhouse	Weldon
Morris	Winfree
Morse	Wood
Newton	

Nays—4

Lankford	Reed of Bowie
London	Skaggs

Absent

Beckworth	McKee
Cagle	Nicholson
Cathey	Oliver
Celaya	Roark
Harbin	Smith
Heflin	of Matagorda
Howard	Stevenson
Jackson	Tarwater
Kenyon	Walker
Loggins	Westbrook
Mauritz	Worley
McConnell	

Absent—Excused

Dean	Leath
Kern	Patterson of Mills
Langdon	

BILL ORDERED NOT PRINTED

On motion of Mr. Walker, Senate Bill No. 240 was ordered not printed.

**SENATE BILL NO. 425 ON
SECOND READING**

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 425, A bill to be entitled "An Act making an emergency appropriation to the Adjutant General's Department of the State of Texas of Fifty-three Thousand (\$53,000.00) Dollars, and declaring an emergency."

The bill was read second time.

Mr. Graves offered the following committee amendment to the bill:

Amend Senate Bill No. 425, by striking out all below the enacting clause, and insert in lieu thereof the following:

"Section 1. That there is hereby appropriated out of the General Revenue Fund of the State of Texas, not otherwise appropriated, the sum of Fifty-three Thousand (\$53,000.00) Dollars, or so much thereof as may be necessary, as an emergency appropriation for the Adjutant General's Department of the State of Texas, for the fiscal year ending August 31, 1937, for the purpose of general maintenance, traveling expenses, bond premiums, drayage, auto hire, express, truck, tractor, extra help and other necessary expenses and for the purpose of supplementing W. P. A. projects in improving existing facilities at Camp Mabry, Camp Hulen and Camp Wolters.

"Section 2. The fact that the present appropriations for the foregoing purposes have been exhausted and the fact that the Adjutant General's Department of the State of Texas has an opportunity of taking advantage of certain Federal Funds for the purpose of constructing needed and necessary improvements at various National Guard Camps and the further fact that the Act creating the Department of Public Safety of the State of Texas charged the Adjutant General's Department with the duty of providing housing and other facilities for the training of highway patrolmen and other peace officers and the further fact that the Adjutant General's Department at Camp Mabry is furnished housing facilities which will be sufficient to accommodate the entire personnel of the State Public Safety Department at a great savings to the State of Texas and the further fact

that the foregoing emergency is absolutely necessary in order that the Adjutant General's Department meet the additional expenses imposed upon it by these requirements of the law, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House, be and the same is hereby suspended and this Act shall be in full force and effect from and after its passage, and it is so enacted."

The amendment was adopted.

Mr. Graves offered the following committee amendment to the bill:

Amend Senate Bill No. 425, by striking out all above the enacting clause and insert in lieu thereof the following:

"A BILL

To Be Entitled

An Act making an emergency appropriation to the Adjutant General's Department of the State of Texas of Fifty-three Thousand (\$53,000.00) Dollars for the fiscal year ending August 31, 1937, and declaring an emergency."

The amendment was adopted.

Senate Bill No. 425 was then passed to third reading.

SENATE BILL NO. 425 ON THIRD READING

Mr. Graves moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 425 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Adkins	Burton
Alexander	Cagle
Alsup	Callan
Amos	Carssow
Baker	Cauthorn
Bates	Cleveland
Beckworth	Colquitt
Bell	Davis of Haskell
Blankenship	Davis of Jasper
Boethel	Davison of Fisher
Bond	Davison
Boyer	of Eastland
Bradbury	Deglandon
Bradford	Derden
Bridgers	Dickson
Broadfoot	Dollins
Brown	England

Farmer	McDonald
Fielden	McFarland
Fox	McKinney
Gibson	Metcalfe
Graves	Moffett
Hamilton	Monkhouse
Hankamer	Morris
Hanna	Morse
Harbin	Newton
Hardin	Oliver
Harper	Palmer
Harrell	Patterson
Harris of Archer	of Travis
Harris of Dallas	Petsch
Harris of Dickens	Powell
Hartzog	Prescott
Herzik	Ragsdale
Holland	Reader
Hoskins	Rhodes
Huddleston	Riddle
Hull	Ross
Hyder	Russell
Jackson	Rutta
James	Schuenemann
Johnson of Ellis	Settle
Johnson	Sewell
of Tarrant	Sharpe
Jones of Angelina	Shell
Jones of Atascosa	Simpson
Jones of Falls	Smith of Hopkins
Jones of Wise	Smith of Tarrant
Keefe	Stevenson
Keith	Stocks
Kelt	Talbert
King	Tarwater
Knetsch	Tennant
Lankford	Tennyson
Lanning	Thornberry
Leyendecker	Thornton
Loggins	Vale
London	Waggoner
Lucas	Weldon
Mann	Westbrook
Mays	Wood
McConnell	Worley

Nays—1

Reed of Bowie

Present—Not Voting

Skaggs

Absent

Cathey	McKee
Celaya	Nicholson
Felty	Pope
Fuchs	Quinn
Heflin	Reed of Dallas
Howard	Roark
Kenyon	Smith
Leonard	of Matagorda
Little	Stinson
Mauritz	Walker
McCracken	Winfree

Absent—Excused

Dean Leath
Kern Patterson of Mills
Langdon

The Chair then laid Senate Bill No. 425 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—115

Adkins	Jackson
Alexander	James
Alsup	Johnson of Ellis
Amos	Johnson
Baker	of Tarrant
Bates	Jones of Angelina
Beckworth	Jones of Atascosa
Bell	Jones of Falls
Blankenship	Jones of Wise
Boethel	Keefe
Bond	Keith
Boyer	Kelt
Bradbury	King
Bradford	Lankford
Bridgers	Lanning
Brown	Leyendecker
Burton	Little
Cagle	Loggins
Callan	London
Carssow	Lucas
Cauthorn	Mays
Cleveland	McConnell
Colquitt	McDonald
Davis of Haskell	McKinney
Davis of Jasper	Metcalf
Davison of Fisher	Moffett
Davison	Monkhouse
of Eastland	Morris
Deglandon	Morse
Derden	Newton
Dickison	Oliver
England	Palmer
Farmer	Patterson
Felty	of Travis
Fox	Petsch
Gibson	Powell
Graves	Prescott
Hamilton	Ragsdale
Hankamer	Reader
Hanna	Rhodes
Hardin	Riddle
Harper	Ross
Harrell	Russell
Harris of Archer	Rutta
Harris of Dallas	Schuenemann
Harris of Dickens	Settle
Herzik	Sewell
Holland	Sharpe
Hoskins	Shell
Huddleston	Simpson
Hull	Smith of Hopkins
Hyder	Smith of Tarrant

Stevenson
Stinson
Stocks
Talbert
Tarwater
Tennant
Tennyson

Thornton
Vale
Waggoner
Weldon
Westbrook
Wood
Worley

Nays—2

Fielden

Reed of Bowie

Present—Not Voting

Skaggs

Absent

Broadfoot
Cathey
Celaya
Dollins
Fuchs
Harbin
Hartzog
Heflin
Howard
Kenyon
Knetsch
Leonard
Mann
Mauritz

McCracken
McFarland
McKee
Nicholson
Pope
Quinn
Reed of Dallas
Roark
Smith
of Matagorda
Thornberry
Walker
Winfree

Absent—Excused

Dean
Kern
Langdon

Leath
Patterson of Mills

SENATE BILL NO. 240 ON
SECOND READING

Mr. Walker moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate bill No. 240 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Adkins
Alexander
Alsup
Amos
Baker
Bates
Beckworth
Bell
Blankenship
Boethel
Bond
Boyer
Bradbury
Bradford

Bridgers
Brown
Burton
Cagle
Callan
Carssow
Cauthorn
Cleveland
Colquitt
Davis of Haskell
Davis of Jasper
Davison of Fisher
Davison
of Eastland

Deglandon	McFarland
Derden	McKinney
England	Metcalfe
Farmer	Moffett
Felty	Monkhouse
Fielden	Morris
Gibson	Morse
Hamilton	Newton
Hankamer	Oliver
Hanna	Patterson
Hardin	of Travis
Harper	Powell
Harrell	Prescott
Harris of Archer	Ragsdale
Harris of Dallas	Reader
Harris of Dickens	Reed of Bowie
Herzik	Reed of Dallas
Holland	Rhodes
Hoskins	Riddle
Huddleston	Ross
Hull	Russell
Hyder	Rutta
Jackson	Schuenemann
James	Settle
Johnson of Ellis	Sewell
Johnson	Sharpe
of Tarrant	Shell
Jones of Atascosa	Simpson
Jones of Falls	Skaggs
Jones of Wise	Smith of Hopkins
Keefe	Stevenson
Keith	Stinson
Kelt	Stocks
King	Talbert
Knetsch	Tarwater
Lankford	Tennant
Lanning	Tennyson
Leonard	Thornberry
Leyendecker	Thornton
Little	Vale
Loggins	Waggoner
London	Walker
Lucas	Weldon
Mann	Westbrook
Mays	Wood
McConnell	Worley
McDonald	

Absent

Broadfoot	Mauritz
Cathey	McCracken
Celaya	McKee
Dickison	Nicholson
Dollins	Palmer
Fox	Petsch
Fuchs	Pope
Graves	Quinn
Harbin	Roark
Hartzog	Smith
Heflin	of Matagorda
Howard	Smith of Tarrant
Jones of Angelina	Winfree
Kenyon	

Absent—Excused

Dean	Kern
------	------

Langdon	Patterson of Mills
Leath	

The Chair then laid before the House, on its second reading and passage to third reading,

S. B. No. 240, A bill to be entitled "An Act amending Article 2525, R. C. S. of Texas 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature, Article 2526, R. C. S. of Texas 1925, Article 2527, R. C. S. of Texas, 1925, Article 2528, R. C. S. of Texas, 1925; etc., and declaring an emergency."

The bill was read second time.

Mr. Walker offered the following amendment to the bill:

Amend Senate Bill No. 240, by adding after the figures "1925" wherever such figures "1925" appear in lines 7 and 8 of Sec. 1, the following:

"as amended by Acts of the Second Called Session of the Forty-third Legislature, Chapter 63."

The amendment was adopted.

Senate Bill No. 240 was then passed to third reading.

SENATE BILL NO. 240 ON THIRD READING

The Chair then laid Senate Bill No. 240 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—121

Adkins	Davis of Jasper
Alexander	Davison of Fisher
Alsup	Davison
Amos	of Eastland
Bates	Deglandon
Beckworth	Derden
Bell	Dollins
Blankenship	England
Boethel	Farmer
Bond	Felty
Boyer	Fielden
Bradbury	Gibson
Bradford	Hamilton
Bridgers	Hankamer
Brown	Hanna
Burton	Harbin
Cagle	Hardin
Callan	Harrell
Carssow	Harris of Archer
Cauthorn	Harris of Dallas
Cleveland	Harris of Dickens
Colquitt	Herzik
Davis of Haskell	Holland

Hoskins	Patterson
Huddleston	of Travis
Hull	Petsch
Hyder	Prescott
Jackson	Quinn
James	Ragsdale
Johnson of Ellis	Reader
Johnson	Reed of Bowie
of Tarrant	Reed of Dallas
Jones of Angelina	Rhodes
Jones of Atascosa	Riddle
Jones of Falls	Ross
Jones of Wise	Russell
Keefe	Rutta
Keith	Schuenemann
Kelt	Settle
King	Sewell
Lankford	Sharpe
Lanning	Shell
Leonard	Simpson
Leyendecker	Skaggs
Little	Smith of Hopkins
Loggins	Smith of Tarrant
London	Stevenson
Lucas	Stinson
Mann	Stocks
Mays	Taibert
McConnell	Tarwater
McDonald	Tennant
McFarland	Tennyson
McKinney	Thornberry
Metcalfe	Vale
Moffett	Waggoner
Monkhouse	Walker
Morris	Weldon
Morse	Westbrook
Newton	Winfree
Oliver	Wood
Palmer	Worley

Absent

Baker	Kenyon
Broadfoot	Knetsch
Cathey	Mauritz
Celaya	McCracken
Dickison	McKee
Fox	Nicholson
Fuchs	Pope
Graves	Powell
Harper	Roark
Hartzog	Smith
Heflin	of Matagorda
Howard	Thornton

Absent—Excused

Dean	Leath
Kern	Patterson of Mills
Langdon	

MESSAGE FROM THE SENATE

Austin, Texas, April 1, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has adopted

H. C. R. No. 83, Inviting the Members of the House of Representatives and the Senate to attend the celebration at Neff Park on Sunday afternoon, April 4, 1937.

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILL NO. 434 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 434, A bill to be entitled "An Act amending Article 5139, Revised Civil Statutes of the State of Texas, providing additional compensation for members of the County Juvenile Board in all counties having a population of not less than three hundred and twenty thousand (320,000) and not more than three hundred and fifty thousand (350,000), according to the last preceding or any future Federal Census, and declaring an emergency."

The bill was read second time.

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 62; Nays, 61.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—58

Alexander	Hankamer
Alsup	Harrell
Baker	Harris of Dallas
Blankenship	Heflin
Boyer	Holland
Bradford	Howard
Callan	Huddleston
Cauthorn	Hull
Celaya	Jackson
Davis of Haskell	Johnson
Davis of Jasper	of Tarrant
Davison of Fisher	Jones of Wise
Davisson	Keefe
of Eastland	Keith
Dean	Kenyon
Dollins	King
Felty	Lanning
Hamilton	Leyendecker

Loggins	Reader
London	Reed of Dallas
Lucas	Rutta
Mann	Simpson
McCracken	Smith of Hopkins
McDonald	Stinson
McKee	Thornberry
McKinney	Thornton
Metcalfe	Vale
Moffett	Walker
Morris	Winfree
Morse	Worley

Nays—60

Adkins	McFarland
Amos	Newton
Beckworth	Oliver
Bell	Palmer
Bond	Patterson
Bradbury	of Travis
Bridgers	Petsch
Broadfoot	Pope
Burton	Powell
Cagle	Prescott
Cathey	Quinn
Cleveland	Ragsdale
Deglandon	Reed of Bowie
Derden	Rhodes
Farmer	Riddle
Fielden	Ross
Fuchs	Russell
Gibson	Settle
Graves	Sewell
Hardin	Sharpe
Harper	Skaggs
Harris of Dickens	Smith of Tarrant
Herzik	Stevenson
James	Stocks
Johnson of Ellis	Talbert
Jones of Angelina	Tarwater
Jones of Atascosa	Tennant
Knetsch	Waggoner
Lankford	Weldon
Mays	Wood
McConnell	

Present—Not Voting

Boethel	Kelt
Colquitt	Smith
Hanna	of Matagorda
Harris of Archer	

Absent

Bates	Leonard
Brown	Little
Carssow	Mauritz
Dickison	Monkhouse
England	Nicholson
Fox	Roark
Harbin	Schuenemann
Hartzog	Shell
Hoskins	Tennyson
Hyder	Westbrook

Absent—Excused

Jones of Falls	Leath
Kern	Patterson of Mills
Langdon	

The Chair announced that Senate Bill No. 434 failed to pass to third reading.

Mr. Pope moved to reconsider the vote by which Senate Bill No. 434 failed to pass to third reading.

Mr. Stevenson moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote resulted, as follows:

Yeas—62

Adkins	Knetsch
Amos	Lankford
Baker	Mays
Beckworth	McConnell
Bell	McFarland
Bond	Newton
Bradbury	Oliver
Bradford	Palmer
Broadfoot	Patterson
Brown	of Travis
Burton	Petsch
Cagle	Powell
Cathey	Prescott
Cleveland	Ragsdale
Davis of Haskell	Reed of Bowie
Davison of Fisher	Rhodes
Deglandon	Ross
Derden	Russell
Farmer	Settle
Fielden	Sewell
Gibson	Sharpe
Graves	Skaggs
Hardin	Smith of Tarrant
Harper	Stevenson
Harrell	Stocks
Harris of Archer	Tarwater
Harris of Dickens	Tennant
Herzik	Waggoner
Huddleston	Walker
Jones of Angelina	Weldon
Jones of Atascosa	Wood
Jones of Wise	

Nays—59

Alexander	Davis of Jasper
Alsup	Davison
Blankenship	of Eastland
Boethel	Dean
Boyer	Dickison
Bridgers	Felty
Callan	Fuchs
Cauthorn	Hamilton
Celaya	Hankamer

Harris of Dallas	McDonald
Hartzog	McKee
Heflin	McKinney
Holland	Metcalfe
Howard	Moffett
Hull	Morris
Hyder	Morse
Jackson	Pope
James	Reader
Johnson	Reed of Dallas
of Tarrant	Riddle
Keefe	Rutta
Keith	Smith of Hopkins
Kenyon	Stinson
King	Talbert
Leyendecker	Tennyson
Little	Thornberry
Loggins	Thornton
London	Vale
Lucas	Winfree
Mann	Worley
McCracken	

Present—Not Voting

Colquitt	Kelt
Hanna	Schuenemann
Johnson of Ellis	Simpson

Absent

Bates	Mauritz
Carssow	Monkhouse
Dollins	Nicholson
England	Quinn
Fox	Roark
Harbin	Shell
Hoskins	Smith
Lanning	of Matagorda
Leonard	Westbrook

Absent—Excused

Jones of Falls	Leath
Kern	Patterson of Mills
Langdon	

Question recurring on the motion by Mr. Pope to reconsider the vote by which Senate Bill No. 434 failed to pass to third reading, yeas and nays were demanded.

The roll of the House was called, and the vote announced, as follows: Yeas, 60; nays, 65.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—56

Alexander	Boethel
Alsup	Boyer
Blankenship	Callan

Cauthorn	Leyendecker
Celaya	Little
Davis of Jasper	Loggins
Davisson	London
of Eastland	Lucas
Dean	Mann
Dickison	McDonald
Dollins	McKee
Felty	McKinney
Hamilton	Metcalfe
Hankamer	Moffett
Harper	Morris
Harris of Dallas	Morse
Hartzog	Pope
Heflin	Reader
Holland	Reed of Dallas
Hoskins	Riddle
Howard	Rutta
Hull	Smith of Hopkins
Hyder	Stinson
Johnson	Talbert
of Tarrant	Thornberry
Keefe	Thornton
Keith	Vale
Kenyon	Winfree
King	Worley

Nays—67

Adkins	Lanning
Amos	Mays
Beckworth	McConnell
Bell	McFarland
Bradbury	Newton
Bridgers	Oliver
Broadfoot	Palmer
Brown	Patterson
Burton	of Travis
Cagle	Petsch
Cathey	Powell
Cleveland	Prescott
Davison of Fisher	Quinn
Deglandon	Ragsdale
Derden	Reed of Bowie
Farmer	Rhodes
Fielden	Ross
Fuchs	Russell
Gibson	Schuenemann
Graves	Settle
Harbin	Sewell
Hardin	Sharpe
Harris of Archer	Shell
Harris of Dickens	Skaggs
Herzik	Smith of Tarrant
Huddleston	Stevenson
Jackson	Stocks
James	Tarwater
Johnson of Ellis	Tennant
Jones of Angelina	Tennyson
Jones of Atascosa	Waggoner
Jones of Wise	Walker
Knetsch	Weldon
Lankford	Wood

Present—Not Voting

Colquitt
HannaKelt
Simpson

Absent

Baker	Leonard
Bates	Mauritz
Bond	McCracken
Bradford	Monkhouse
Carssow	Nicholson
Davis of Haskell	Roark
England	Smith
Fox	of Matagorda
Harrell	Westbrook

Absent—Excused

Jones of Falls	Leath
Kern	Patterson of Mills
Langdon	

The Chair announced that the motion to reconsider was lost.

HOUSE BILL NO. 49 ON SECOND READING

Mr. Hull moved to take up, for consideration, at this time,

H. B. No. 49, A bill to be entitled "An Act amending Article 2620 of the Revised Civil Statutes of 1925, changing the name of The North Texas Junior Agricultural, Mechanical and Industrial College at Arlington to The North Texas Agricultural, Mechanical and Industrial College at Arlington, and amending Article 2621 of the Revised Civil Statutes of 1925, providing a four-year course of study for said college, and declaring an emergency."

The bill having heretofore been laid on the table subject to call, due notice having been given that same would be called up today.

The motion prevailed.

The Chair then laid the bill before the House, and it was read second time.

Mr. Bell moved that further consideration of House Bill No. 49 be postponed until next April 16, at 11:00 o'clock a. m.

Mr. Hull moved to table the motion to postpone the bill.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—78

Alsup	Bond
Amos	Boyer
Baker	Bradford

Broadfoot	Loggins
Callan	London
Carssow	Lucas
Cathey	Mann
Cauthorn	Mays
Cleveland	McConnell
Davis of Haskell	McCracken
Davis of Jasper	McDonald
Dean	McKee
Deglandon	McKinney
Derden	Morse
Dickison	Newton
Dollins	Oliver
Farmer	Palmer
Fielden	Reader
Gibson	Reed of Dallas
Hankamer	Rhodes
Hanna	Riddle
Harbin	Russell
Hardin	Rutta
Harrell	Schuenemann
Harris of Dickens	Sewell
Heflin	Sharpe
Holland	Shell
Howard	Skaggs
Huddleston	Smith of Hopkins
Hull	Smith
James	of Matagorda
Johnson	Stinson
of Tarrant	Talbert
Jones of Angelina	Tennant
Kelt	Tennyson
King	Thornton
Lankford	Vale
Lanning	Westbrook
Leonard	Winfree
Little	Worley

Nays—47

Adkins	Jones of Wise
Alexander	Keith
Bates	Knetsch
Beckworth	Mauritz
Bell	McFarland
Blankenship	Metcalfe
Boethel	Moffett
Bridgers	Morris
Brown	Patterson
Burton	of Travis
Cagle	Petsch
Colquitt	Powell
Davisson	Prescott
of Eastland	Quinn
England	Reed of Bowie
Felty	Ross
Fox	Simpson
Fuchs	Stocks
Hamilton	Tarwater
Harris of Archer	Thornberry
Harris of Dallas	Waggoner
Herzik	Walker
Jackson	Weldon
Johnson of Ellis	Wood
Jones of Atascosa	

Present—Not Voting

Bradbury

Absent

Celaya	Leyendecker
Davison of Fisher	Monkhouse
Graves	Nicholson
Harper	Pope
Hartzog	Ragsdale
Hoskins	Roark
Hyder	Settle
Keefe	Smith of Tarrant
Kenyon	Stevenson

Absent—Excused

Jones of Falls	Leath
Kern	Patterson of Mills
Langdon	

PAIRED

Mr. Bradbury (present), who would vote "nay", with Mr. Hyder (absent), who would vote "yea".

Mr. Smith of Tarrant offered the following committee amendment to the bill:

Amend House Bill No. 49, by adding a new Section to be known as Section 1, and renumber other Sections accordingly, to read as follows:

"Section 1. Article 2618 of the Revised Civil Statutes of 1925 is hereby amended and shall read as follows:

"Said College shall rank as a senior Agricultural College which for the purposes of this law is designated as an institution offering six year course beginning with the junior year of a four year high school and extending to and including the senior year of a four year college provided that nothing in this law shall preclude the offering of such preparatory courses or short courses as may be deemed advisable. It shall be co-educational and instruction shall be offered in agriculture, including the arts and sciences connected therewith."

LANNING,

SMITH of Tarrant.

Mr. Alsup raised a point of order, on further consideration of the amendment, on the ground that the amendment is not germane to the bill, and that same is unconstitutional.

The Chair sustained the point of order.

Mr. McDonald offered the following amendment to the bill:

Amend House Bill No. 49, by striking out all of Section 2, line 38, after the word "education".

The amendment was adopted.

Mr. Hull moved to reconsider the vote by which the amendment by Mr. McDonald was adopted.

Mr. McDonald moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—56

Adkins	Jones of Atascosa
Alexander	Jones of Wise
Alsup	Keefe
Bates	Keith
Beckworth	Knetsch
Bell	Mauritz
Blankenship	McDonald
Boethel	McFarland
Bond	Metcalfe
Bradbury	Morris
Bradford	Newton
Bridgers	Palmer
Broadfoot	Patterson
Brown	of Travis
Burton	Petsch
Cagle	Powell
Cauthorn	Prescott
Colquitt	Reed of Bowie
Derden	Schuenemann
England	Sharpe
Fox	Stocks
Graves	Tarwater
Harris of Archer	Tennyson
Harris of Dickens	Thornberry
Herzik	Thornton
Holland	Waggoner
Hoskins	Walker
Johnson of Ellis	Wood
Jones of Angelina	

Nays—66

Amos	Hanna
Baker	Harbin
Boyer	Hardin
Callan	Harrell
Carsow	Harris of Dallas
Cathey	Hartzog
Celaya	Heflin
Cleveland	Howard
Davis of Haskell	Huddleston
Davis of Jasper	Hull
Davisson	Jackson
of Eastland	Johnson
Dean	of Tarrant
Deglandon	King
Dickison	Lankford
Dollins	Lanning
Farmer	Leonard
Hamilton	Little
Hankamer	Loggins

London	Sewell
Lucas	Simpson
Mann	Skaggs
Mays	Smith of Hopkins
McConnell	Smith
McCracken	of Matagorda
McKinney	Smith of Tarrant
Moffett	Stinson
Morse	Talbert
Oliver	Tennant
Reader	Vale
Reed of Dallas	Weldon
Rhodes	Westbrook
Riddle	Winfree
Ross	Worley
Settle	

Present—Not Voting

Harper

Absent

Davison of Fisher	Monkhouse
Felty	Nicholson
Fielden	Pope
Fuchs	Quinn
Gibson	Ragsdale
Hyder	Roark
James	Russell
Kelt	Rutta
Kenyon	Shell
Leyendecker	Stevenson
McKee	

Absent—Excused

Jones of Falls	Leath
Kern	Patterson of Mills
Langdon	

Question next recurring on the motion to reconsider the vote by which the amendment by Mr. McDonald was adopted, it prevailed.

Mr. Hull moved to table the amendment by Mr. McDonald.

The motion to table prevailed.

Mr. Bradbury moved that further consideration of House Bill No. 49 be postponed until next April 13, at 11:00 o'clock a. m.

Mr. Hull moved to table the motion to postpone the bill.

The motion to table prevailed.

Mr. Jones of Wise offered the following amendment to the bill:

Amend House Bill No. 49, by adding a new Section to be known as Section 2a and to read, as follows:

"The Board of Directors of the Agricultural and Mechanical College is hereby directed to offer to purchase from the Southern Baptist Convention all properties now operated by the Decatur Baptist College; such offer not

to exceed One Hundred Fifty Thousand Dollars. If this offer is accepted, the said Board shall purchase such properties and operate such college as a Junior College in arts and sciences, such college to be known as North Texas Junior College."

Question—Shall the amendment by Mr. Jones of Wise be adopted?

BILL RE-REFERRED

On motion of Mr. Heflin, House Bill No. 865 was withdrawn from the Committee on Revenue and Taxation and referred to the Committee on Conservation and Reclamation.

NOTICES GIVEN

Mr. Davison of Fisher gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 351, which bill was heretofore laid on the table subject to call.

Mr. Bradford gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 113, which bill was heretofore laid on the table subject to call.

Mr. Reed of Dallas gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 144, which bill was heretofore laid on the table subject to call.

Mr. Talbert gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 996, which bill was heretofore laid on the table subject to call.

Mr. Hardin gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 204, which bill was heretofore laid on the table subject to call.

Mr. Worley gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 373, which bill was heretofore laid on the table subject to call.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 41, to the Committee on Appropriations.

Senate Bill No. 240, to the Committee on Banks and Banking.

Senate Bill No. 338, to the Committee on Public Lands and Buildings.

HOUSE BILL NO. 81 WITH SENATE AMENDMENTS

Mr. Moffett called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 81, A bill to be entitled "An Act to aid the Pease River Flood Control District, a State agency, in carrying out the purposes for which it was created by Chapter 420, General and Special Laws, First Called Session, Forty-fourth Legislature (Senate Bill No. 62 of said Session), including the acquiring of the lands, leases, easements and acquittances, rights-of-way, structures, buildings and equipment, and including the operation of structures, dams, reservoirs and canals, suitable, in so far as practicable, for the control of the flood waters of the Pease River watershed, declared to be a public calamity, granting and donating, with certain limitations, to said District for a period of two years all of the State ad valorem taxes in the following counties, which otherwise would go into the General Revenue Fund of the State of Texas, namely: Cottle, Foard, Hardeman and Wilbarger; . . . etc., and declaring an emergency."

The Chair laid the bill before the House with the Senate amendments.

On motion of Mr. Moffett, the House concurred in the Senate amendments by the following vote:

Yeas—87

Adkins	Celaya
Amos	Cleveland
Baker	Davis of Haskell
Bates	Davis of Jasper
Bell	Davison of Fisher
Boethel	Davison
Boyer	of Eastland
Bradbury	Derden
Bradford	Dickison
Bridgers	Dollins
Broadfoot	Fox
Brown	Hamilton
Callan	Hankamer
Carsow	Hanna
Cathey	Harbin
Cauthorn	Hardin

Harper	Moffett
Harris of Archer	Morse
Heflin	Newton
Holland	Oliver
Hoskins	Patterson
Howard	of Travis
Huddleston	Petsch
Hull	Pope
Johnson of Ellis	Prescott
Johnson	Reader
of Tarrant	Rhodes
Jones of Angelina	Riddle
Jones of Atascosa	Settle
Jones of Wise	Sewell
Keefe	Simpson
Kelt	Smith of Hopkins
Kenyon	Smith of Tarrant
King	Stocks
Leonard	Talbert
Little	Tarwater
Loggins	Tennant
Lucas	Tennyson
Mann	Thornberry
Mauritz	Thornton
McCracken	Vale
McDonald	Weldon
McFarland	Westbrook
McKee	Winfree
Metcalfe	Worley

Nays—31

Alexander	Lankford
Alsup	London
Beckworth	Mays
Blankenship	McKinney
Bond	Morris
Burton	Powell
Colquitt	Reed of Bowie
Deglandon	Reed of Dallas
England	Ross
Farmer	Russell
Graves	Sharpe
Harrell	Skaggs
Harris of Dallas	Stinson
Harris of Dickens	Waggoner
Keith	Wood
Knetsch	

Present—Not Voting

Felty	Palmer
McConnell	Schuenemann

Absent

Cagle	James
Dean	Lanning
Fielden	Leyendecker
Fuchs	Monkhouse
Gibson	Nicholson
Hartzog	Quinn
Herzik	Ragsdale
Hyder	Roark
Jackson	Rutta

Shell
Smith
of Matagorda

Stevenson
Walker

Absent—Excused

Jones of Falls
Kern
Langdon

Leath
Patterson of Mills

Mr. Moffett moved to reconsider the vote by which the House concurred in the Senate amendments to House Bill No. 81, and to table the motion to reconsider.

The motion to table prevailed.

RECESS

Mr. Bond moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Hull moved that the House recess until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion to adjourn was lost by the following vote:

Yeas—55

Adkins
Alexander
Alsup
Baker
Blankenship
Boethel
Bond
Bradbury
Bridgers
Broadfoot
Brown
Burton
Cauthorn
Colquitt
Deglandon
Dickison
Felty
Fox
Graves
Hardin
Harper
Harrell
Harris of Archer
Harris of Dickens
Holland
Howard
Jones of Atascosa
Jones of Wise

Knetsch
Mauritz
McConnell
McDonald
McFarland
McKee
Metcalf
Morris
Palmer
Patterson
of Travis
Pope
Prescott
Riddle
Russell
Sharpe
Shell
Smith
of Matagorda
Stocks
Talbert
Tarwater
Tennant
Tennyson
Thornberry
Waggoner
Walker
Wood

Nays—74

Amos
Bates
Beckworth

Bell
Boyer
Bradford

Callan
Carssow
Cathey
Celaya
Cleveland
Davis of Haskell
Davis of Jasper
Davison of Fisher
Davisson
of Eastland
Dean
Derden
England
Farmer
Hamilton
Hankamer
Hanna
Harbin
Harris of Dallas
Hartzog
Heflin
Hoskins
Huddleston
James
Johnson of Ellis
Johnson
of Tarrant
Jones of Angelina
Keefe
Keith
Kenyon
King
Lankford
Lanning
Leonard

Little
Loggins
London
Lucas
Mann
Mays
McCracken
McKinney
Moffett
Monkhouse
Morse
Newton
Oliver
Powell
Ragsdale
Reader
Reed of Bowie
Reed of Dallas
Rhodes
Ross
Schuenemann
Settle
Sewell
Simpson
Skaggs
Smith of Hopkins
Smith of Tarrant
Stevenson
Stinson
Thornton
Vale
Weldon
Westbrook
Winfree
Worley

Absent

Cagle
Dollins
Fielden
Fuchs
Gibson
Herzik
Hull
Hyder

Jackson
Kelt
Leyendecker
Nicholson
Petsch
Quinn
Roark
Rutta

Absent—Excused

Jones of Falls
Kern
Langdon

Leath
Patterson of Mills

Question then recurring on the motion to recess until 10:00 a. m., tomorrow, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—98

Alexander
Alsup
Amos
Baker
Bates

Bell
Bond
Boyer
Bradbury
Bradford

Broadfoot	Leonard
Cagle	Little
Callan	Loggins
Carsow	London
Cathey	Mann
Celaya	Mauritz
Cleveland	Mays
Davis of Haskell	McConnell
Davis of Jasper	McCracken
Davison of Fisher	McDonald
Davison	McFarland
of Eastland	McKinney
Dean	Moffett
Derden	Monkhouse
Dickson	Morris
Dollins	Morse
Farmer	Newton
Fox	Oliver
Hamilton	Patterson
Hankamer	of Travis
Hanna	Petsch
Harbin	Powell
Hardin	Ragsdale
Harper	Reed of Bowie
Harrell	Rhodes
Harris of Dallas	Ross
Harris of Dickens	Russell
Hartzog	Schuenemann
Heflin	Settle
Holland	Sewell
Hoskins	Shell
Howard	Simpson
Huddleston	Smith of Hopkins
Hull	Smith
Hyder	of Matagorda
Jackson	Smith of Tarrant
James	Stevenson
Johnson	Stocks
of Tarrant	Talbert
Jones of Angelina	Thornberry
Keefe	Thornton
Keith	Vale
Kenyon	Waggoner
King	Weldon
Knetsch	Westbrook
Lankford	Winfree
Lanning	

Nays—26

Adkins	Jones of Wise
Beckworth	Lucas
Blankenship	Metcalf
Boethel	Palmer
Brown	Prescott
Burton	Reed of Dallas
Cauthorn	Riddle
Colquitt	Sharpe
Deglandon	Stinson
Graves	Tarwater
Harris of Archer	Tennant
Johnson of Ellis	Tennyson
Jones of Atascosa	Wood

Absent

Bridgers	England
----------	---------

Felty	Pope
Fielden	Quinn
Fuchs	Reader
Gibson	Roark
Herzik	Rutta
Kelt	Skaggs
Leyendecker	Walker
McKee	Worley
Nicholson	

Absent—Excused

Jones of Falls	Leath
Kern	Patterson of Mills
Langdon	

The House, accordingly, at 5:25 o'clock p. m., took recess until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Appropriations: House Bill No. 576; Senate Bill No. 425.

Banks and Banking: House Bill No. 1055; Senate Bill No. 240.

Counties: House Bills Nos. 777 and 1048; Senate Bill No. 218.

Education: House Bill No. 1054.

Game and Fisheries: House Bill No. 1035.

Highways and Motor Traffic: House Bill No. 990; Senate Bill No. 448.

Judiciary: House Bills Nos. 417 and 983; Senate Bills Nos. 381 and 434.

Municipal and Private Corporations: Senate Bill No. 422.

Public Health: House Bills Nos. 645, 646 and 1024.

Revenue and Taxation: House Bill No. 955; Senate Bill No. 80.

State Affairs: Senate Bills Nos. 74 and 436.

The following committees have filed adverse reports on bills, as follows:

Revenue and Taxation: House Bill No. 1000.

State Affairs: House Bill No. 737.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 23, A bill to be entitled "An Act to amend S. B. No. 29, Chapter 13, Sec. 8, Fourth Called Session, Forty-first Legislature, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 26, A bill to be entitled "An Act permitting abutting property owners along the public roads and highways of this State to cut any grass or grasses, and to cut or destroy any obnoxious weed and/or weeds growing along the right-of-way of any public road or highway of this State."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 55, A bill to be entitled "An Act to amend Article 2687, Revised Civil Statutes, so as to provide for the payment of salaries of the County Board of Trustees out of the State and County Available School Fund, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 97, A bill to be entitled "An Act amending Article 3810 of the Revised Civil Statutes of the State of Texas, 1925, providing for notices of sale of real estate under deeds of trust, manner of giving notice, contents of same, affidavit of mailing notice, place of sale; providing for setting aside sale, repealing all laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 146, A bill to be entitled "An Act amending Article 5142 of the Revised Civil Statutes of 1925, as amended by the Acts of 1927, Fortieth Legislature, Chapter 228; providing for juvenile officers; providing for their selection, compensation, expenses, and prescribing their duties; providing for their assistants; providing all things necessary and incident to the main purpose of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 377, A bill to be entitled "An Act amending Section 6 of Article III of H. B. No. 8, Acts, Forty-fourth Legislature, Third Called Session, exempting from taxation any admission, all proceeds of which inure exclusively to the benefit of State, religious, educational or charitable institutions, organizations, or societies, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 404, A bill to be entitled "An Act granting to C. A. Gindratt and wife, their heirs and assigns, permission to bring suit against the State of Texas and the State Highway Department in the District Court of Leon County, Texas, for damages alleged to have been sustained to certain real property of the said C. A. Gindratt and wife, by reason of the construction of State Highway Number 75; providing that such suit may be filed within two (2) years after the effective date of this Act; providing for the method of serving process and for procedure governing the trial and determination of

such suit; making an appropriation, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 483, A bill to be entitled "An Act to amend Section 7, of Chapter 62, pages 131-133, of the General and Special Laws of the State of Texas passed by the Forty-third Legislature at its Second Called Session, 1934, of the State of Texas; to further define a nuisance and provide for the punishment of certain persons and peace officers and organizations who knowingly permit and accept receipts from any contest enumerated and referred to in said Chapter 62, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 499, A bill to be entitled "An Act amending Article 1, Chapter 467, Section 24 of the Acts of the Forty-fourth Legislature, 1935, Second Called Session, so as to extend the provisions thereof to authorize cities to prohibit by their charters, the sale of liquors and beer in their residence sections, or any other part thereof and that same shall be valid and remain in force and effect until such time as the charter provisions may be repealed or amended; and by adding thereto a section to be known as Section 24b; providing a penalty against all persons who shall sell liquors or beer in districts in cities in which the same has been prohibited; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 526, A bill to be entitled "An Act amending Section 1 of House Bill No. 247, Chapter 44, Acts of the Regular Session of the Forty-third Legislature as amended by Chapter 240, Acts of the Regular Session of the Forty-fourth Legislature; providing that offenses committed or prosecutions begun under pre-existing laws may be conducted under the law as it existed at the time the offense was committed; providing that if any part of this Act shall be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions thereof, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 527, A bill to be entitled "An Act amending Article 1104 of the Penal Code as amended by the Regular Session of the Forty-fourth Legislature, Chapter 154, General and Special Laws of 1935, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 549, A bill to be entitled "An Act amending Article 2525, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature, Article 2526, R. C. S. of Texas, 1925, Article 2527, R. C. S. of Texas, 1925, Article 2528, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature, Article 2529, R. C. S. of Texas, 1925, Article 2530, R. C. S. of Texas, 1925, Article 2531, R. C. S. of Texas, 1925, Article 2532, R. C. S. of Texas, 1925, Article 2533, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature, Article 2534, R. C. S. of Texas,

1925, Article 2535, R. C. S. of Texas, 1925, Article 2537, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature; repealing all laws and parts of laws in conflict and expressly repealing Article 2539, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 561, A bill to be entitled "An Act to define and fix the limits and jurisdiction of the Nineteenth, Fifty-fourth and Seventy-fourth District Courts and to provide for the terms thereof and the procedure to be followed therein in certain particulars; to provide for the judges of said Courts to exchange benches, authorizing either of said judges to sit in either of said Courts; authorizing the transfer of a case from either of said Courts to another one thereof; to provide for the filing of pleadings in said Courts in duplicate and for the safe keeping and withdrawal of the original copy of the pleading so filed upon proper showing; to provide for and limit the filing of motions and amended motions for new trial in said Courts; and providing that if any part of this Act is held unconstitutional, the valid portion of the same was intended to be enacted."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 625, A bill to be entitled "An Act amending Article 5449, 1925 Civil Statutes, as amended by Chapter 291, of the General Laws of the Regular Session of the Forty-fourth Legislature, so as to provide that when any abstract of judgment has been recorded it shall, from the date of such record and index, operate as a lien

upon all of the real estate of the defendant situated in the county where such record and index are made and upon all real estate which defendant may thereafter acquire, situated in said county, said lien to continue for four years from the date of such record and index, except that if during said four-year period the judgment becomes dormant said lien shall thereupon cease to exist, and so as to provide that the lien of any judgment so recorded and indexed prior to the effective date of this Act, if then valid, shall continue for four years from the effective date of this Act, except that if during said four years the judgment becomes dormant said lien shall thereupon cease to exist, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 647, A bill to be entitled "An Act granting permission to Mrs. Cora Mills, Mrs. Elzine Kinsey and husband, Loyd Kinsey, and Mrs. Marie Fouts and husband, Aubrey Fouts, to bring suit against the State of Texas and/or Highway Department of the State of Texas, in a court of competent jurisdiction for damages for personal injuries received by Ed Mills which said injuries are alleged to have resulted in his death, and which said injuries were received by the said Ed Mills while on duty in the employ of the State Highway Department of the State of Texas; providing that any judgment recovered be paid out of the funds of the Highway Department of the State of Texas; providing that if any provisions of this Act shall be invalid, the validity of the other provisions thereof shall not be affected, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 648, A bill to be entitled "An Act granting permission to W. M. Rosseau to bring suit against the State of Texas, and/or Highway Department, in a court of competent jurisdiction, for damages for personal injuries received by him while on duty in the employ of the Highway Department of the State of Texas, and which injuries are alleged to have produced damages to the said W. M. Rosseau, providing that any judgment so recovered to be paid out of the funds of the Highway Department of the State of Texas; providing that if any provisions of this Act shall be invalid, the validity of the other provisions thereof shall not be affected, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 666, A bill to be entitled "An Act amending Article 3410 of the Revised Civil Statutes of the State of Texas of 1925, providing in addition to the requirements of Article 3410, for the filing by the administrator or executor of an estate a list of claims owing by the estate, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 671, A bill to be entitled "An Act creating the Coastal Division of Game, Fish and Oyster Commission; giving the power and making it the duty of the Game, Fish and Oyster Commission to appoint an Executive Officer for the Division; providing that it may perform its duties through said officer; providing for an Assistant Director of Coastal Division; providing the amount of compensation to be paid the Director and Assistant Director; providing that the Legislature set the maximum amount to be paid other employees of the Division;

providing for bonds for employees of Coastal Division; appropriating the Fish and Oyster Fund; providing the effective date of the Act; repealing all laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 677, A bill to be entitled "An Act to amend Article 3137 of the Revised Civil Statutes of Texas changing the date of the canvassing the returns of the primary elections by the State Executive Committee, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 759, A bill to be entitled "An Act defining a Wholesale Fur Buyer, a Retail Fur Buyer and a Trapper; providing licenses for those engaged in such business and defining the privileges granted under such licenses; providing for the disposition of funds collected from the sale of such licenses; repealing all laws in conflict with this Act, and specifically that portion of the law of this State requiring a tax receipt tag to be attached to the pelts of fur-bearing animals; providing a suitable penalty for violation of any provision of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 770, A bill to be entitled "An Act to prevent the cancellation of a contract for the retail sale of automobiles entered into after the

passage of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 772, A bill to be entitled "An Act amending Section 9 of Chapter 101 of the General and Special Laws of the First Called Session of the Forty-third Legislature, being House Bill No. 31 and as amended by Chapter 346 of the General and Special Laws of the Regular Session of the Forty-fourth Legislature, being House Bill 991; providing the method of disbursement of the funds of such fireman, policeman, and fire alarm operator's pension fund, the section of said Acts so amended hereinafter set out, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 823, A bill to be entitled "An Act to amend Section 1, of Chapter 473, page 1866, Second Called Session, Forty-fourth Legislature, by removing the population classification therefrom, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 896, A bill to be entitled "An Act making it unlawful to use any seine, net, gill net, trot line or other mechanical or physical device, except hook and line, for the purpose of fishing within the waters of certain navigation districts in Texas; providing that possession of such devices on the right-of-way or lands or premises of such navigation districts shall constitute prima facie proof of

guilt; providing for the punishment of persons violating the provisions hereof, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 932, A bill to be entitled "An Act to fix the salaries and compensation of County Commissioners in counties with a taxable valuation of not less than Forty-seven Million, One Hundred Thousand (\$47,100,000.00) Dollars nor more than Forty-eight Million, One Hundred (\$48,100,000.00) Dollars taxable valuation according to the valuation as shown on the County Tax Assessors rolls for county purposes, and providing for payment of such salaries and the funds from which such salaries shall be paid and repeal all laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 943, A bill to be entitled "An Act to amend Article IV of Chapter 495, Acts of the Forty-fourth Legislature, Third Called Session, by adding a new section to be inserted immediately following Section 9 thereof, which new section shall be known and cited as Section 9A providing that tax on notes and secured obligation shall be levied on only one of several contemporaneous instruments securing the same obligation, provided such shall be upon the instrument of greatest denomination, provided said exemption shall not apply to subsequent instruments securing said obligation, repealing all laws and parts of law in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 980, A bill to be entitled "An Act making it unlawful for any person to hunt, trap, ensnare, kill or attempt to kill any wild deer, buck, doe, fawn or wild turkey in the Counties of Leon, Madison, Robinson, Brazos and Freestone; prescribing a penalty, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 982, A bill to be entitled "An Act amending Section 1 of Chapter 129, page 356, Acts of the Regular Session of the Forty-fourth Legislature; repealing all laws, or parts of laws, in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1004, A bill to be entitled "An Act providing that the Commissioners' Court of any county wherein the United States Government has or shall hereafter purchase at least twenty-five (25%) per cent in area of the land in said county for reforestation and other purposes, may, with the consent of the Board of County and District Road Indebtedness and the holders of at least eighty (80%) per cent of the bonds hereinafter described, refund, under the provisions of existing law, the road bonds of any such county or of any road district or political subdivision thereof; . . . etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1009, A bill to be entitled "An Act to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to establish and maintain a horticultural and agricultural experiment station at some point within the limits of the El Paso irrigated valley in the State of Texas for the purpose of making scientific investigations and experiments in the production of cotton, alfalfa, and farm crops, etc., . . . and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1021, A bill to be entitled "An Act fixing and limiting expenses of candidates for Representative in the State Legislature in primary election in counties of more than 300,000 inhabitants, according to the last preceding Federal Census; . . . etc., and repealing all laws in conflict with the provisions of this Act, but not otherwise."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1023, A bill to be entitled "An Act creating a special road law for Jeff Davis County, Texas, providing that said County may fund or refund the indebtedness outstanding against its road and bridge fund as of February 1, 1937, setting forth the method of operation; validating all acts and proceedings heretofore had by the Commissioners Court of said County and officers thereof in respect to the funding or refunding of said indebtedness; validating certain items of indebtedness heretofore authorized by said Commissioners Court; provid-

ing this law shall be cumulative of general laws on the subject of roads and bridges and general laws on funding and refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1027, A bill to be entitled "An Act amending Article 7261 by transferring the duty of certifying to the correctness of the report of the County Collector from the County Clerk to the County Auditor in those counties having a County Auditor, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1028, A bill to be entitled "An Act prohibiting the taking of certain fish in the waters of Travis County during the months of February, March and April; providing means, methods and devices for taking fish; providing size limits, bag limits and possession limits; permitting the use of seines and nets for certain species; prohibiting the sale, or the taking for the purpose of selling, of any fish taken from the waters of Travis County; providing a penalty for violation of this Act; repealing all laws in conflict with this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1029, A bill to be entitled

"An Act amending Article 3902 as amended by Acts, 1935, Forty-fourth Legislature, Second Called Session, page 1762, by adding thereto another section to be designated as Section 7, providing that in counties of a population bracket of not less than 39,496, and not more than 40,000, First Assistant County Attorneys shall receive a salary of from \$1,620.00 to \$1,920.00 per annum, to be determined by the Commissioners' Court, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 31, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 83, Inviting the Members of the House of Representatives and the Senate to attend the celebration at Neff Park on Sunday afternoon, April 4, 1937.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

FORTY-SIXTH DAY

(Continued)

(Friday, April 2, 1937)

The House met at 10:00 o'clock a. m., and was called to order by Speaker Calvert.

LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. Dollins was granted leave of absence for today, on account of important business, on motion of Mr. Jones of Falls.

Mr. McKinney was granted leave of absence for today, on account of illness, on motion of Mr. Dean.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows.

By Mr. Smith of Hopkins:

H. B. No. 1057, A bill to be entitled "An Act providing that in certain